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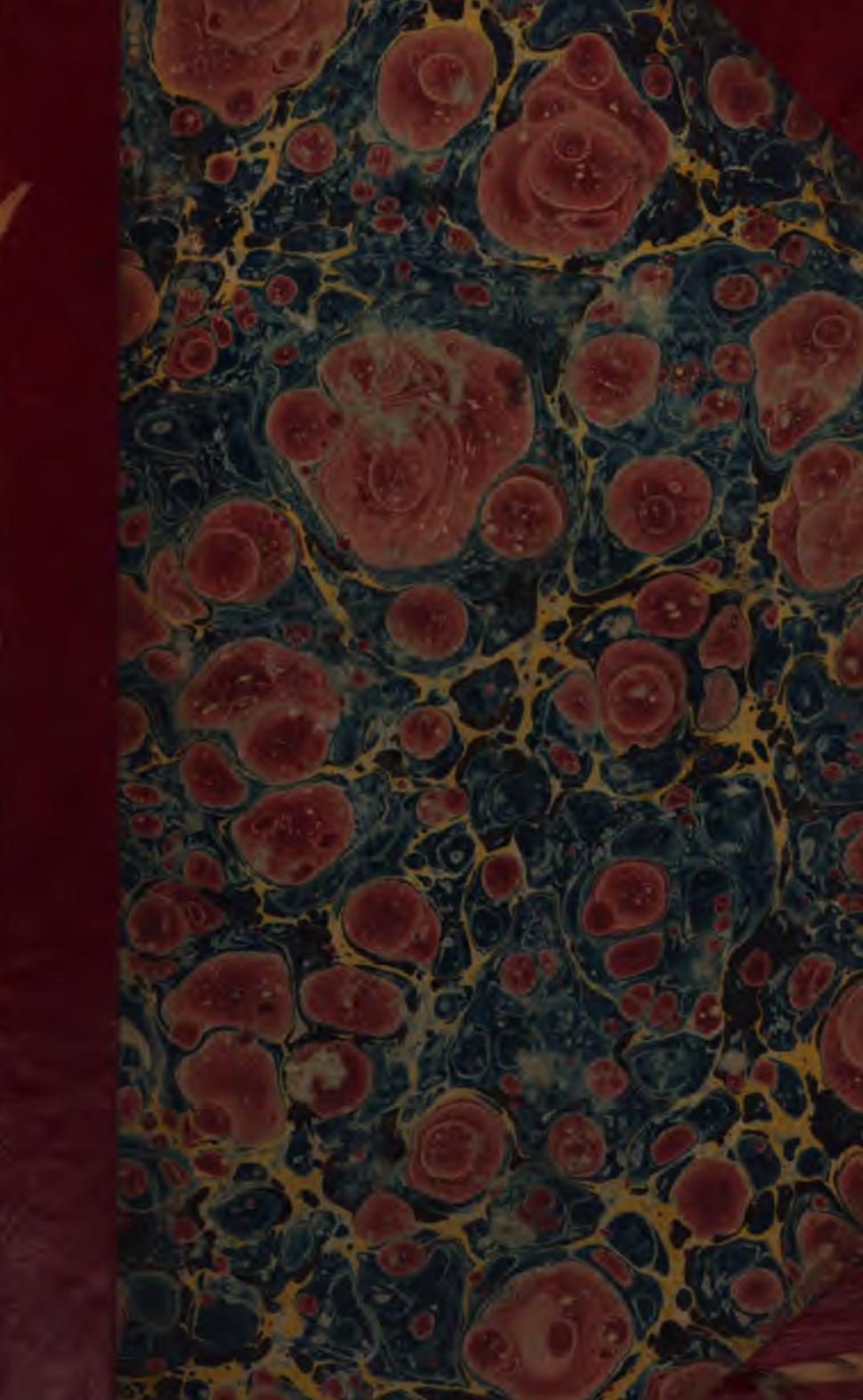
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THE NEW
ANNUAL REGISTER,
OR GENERAL REPOSITORY OF
HISTORY,
POLITICS,
AND
LITERATURE,
For the YEAR 1787.

TO WHICH IS PREFIXED,

The HISTORY of KNOWLEDGE, LEARNING, and
TASTE, in GREAT BRITAIN, during the Reign of HENRY
the EIGHTH, from the Year 1509 to 1547.



L O N D O N,
Printed for G. G. J. and J. ROBINSON, Pater-noster-Row.
MDCCLXXXVIII.



P R E F A C E.

THE present volume of the New Annual Register will be found to have called forth not less industry and diligence in its compilers, than those which have preceded it; at the same time that we have been enabled to offer it somewhat earlier to the curiosity of our readers. We trust that that Public, to whose encouragement we are so deeply indebted, will give us credit for the uniformity and constancy of our exertions. If we cannot add to the scientific improvements, or the literary embellishments of the age, we will at least not subtract from our merits by irregularity and caprice.

As we proceed in our History of Knowledge and Taste, our subject becomes every hour more interesting. The Literary History of the Period of the Reformation is a grand and awful spectacle, and it has been our aim that it should not lose its effect by not being brought together in a full and complete view.

The state of politics in Europe appears pregnant with extraordinary events. In the present volume we have completed our account of the dissensions in Holland, and have thus cleared the way for the more extensive concerns of the commotions in France, and the intrigues of the Czarina and the Emperor.

The Literature of the year 1787, has not been altogether so productive of valuable publications as the year 1786, or as the present year promises to be. In the mean time some performances of merit have appeared, and the reader will find that they have not escaped our notice.

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T H E
H I S T O R Y
O F
K N O W L E D G E, L E A R N I N G,
A N D T A S T E,
I N G R E A T B R I T A I N,

During the Reign of King HENRY the Eighth. From the Year
1509, to the Year 1547.

IT hath already appeared, in the course of our history, that intellectual light had, for some time, been breaking in upon the nations of Europe. Indeed, for nearly the space of two centuries, it had made an increasing, though, at first, a very slow progress. But after the taking of Constantinople, and the invention of printing, it had advanced with a considerable degree of rapidity. The multiplication of the copies of books, though most of them were but indifferent or trifling compositions, could not fail of giving a wider spread to the exercise of the human understanding. By the recovery, in particular, of the ancient authors, and the attention that was paid to classical learning, new subjects were opened of speculation and enquiry :—nor when the mind was once set afloat, could it easily be restrained in its excursions. It was happy that this effect was not foreseen by some of the zealous patrons of Greek and Roman Literature, and the encouragers of
1787. a elegant

elegant composition. Perhaps the princes of the house of Medici, and Pope Leo the Tenth, would have held back their munificence, if they had apprehended that the advancement of polite knowledge would have tended to introduce a boldness of thinking in matters which had long been generally deemed too sacred to be disputed.

Even in the darkest ages, some few persons were found who revolted at the doctrines and practices of popery. These doctrines were so absurd, these practices so corrupt, and, at the same time, the ignorance and licentiousness of many of the clergy were so palpable to observation, that they could not escape the notice of those minds which were disposed to any degree of reflection. But, though such minds will exist in every period, little can be done by them, till there is a concurrence of circumstances which is favourable to a general alteration. In the reign to which we are now arrived that concurrence took place. So many causes had paved the way for the emancipation of mankind from that ecclesiastical tyranny, under which they had for a number of centuries laboured, that some single event only was wanted to rouse and enslave the passions of men, and to engage them to exert the vigour of their understandings in enquiries of the most essential importance to the progress of knowledge and of happiness. This event occurred in the opposition of Luther to the papal indulgences. Never was there a man more admirably fitted for producing a great revolution in the state of human society. His active mind carried him on from one object to another, and his courage was equal to every undertaking. It is to the spirited and unconquerable exertion of Luther that we owe the reformation, which is the most illustrious and momentous transaction, next to the appearance of the founder of our holy religion, that is to be met with in the history of the world.

This transaction, which happened in the reign of king Henry the Eighth, had a very powerful influence with regard to the advancement of religious knowledge in our own country. The spirit of enquiry, which was excited in Germany, spread itself, more or less, through every part

part of Europe; and in England the way had, in some measure, been prepared for it by the exertions of Wickliffe. How boldly that eminent divine had attacked several of the capital doctrines of the church of Rome, hath appeared in former Articles; and he had still a number of followers in this kingdom, though they had been so much persecuted and depressed that they did not now make any considerable figure. These men would have their attention awakened by what was going forward abroad, and would derive no small degree of encouragement from what they heard of the new reformers. Additions, too, might hence be expected to be made to the converts from popery. Those who had paid no attention to Wickliffe's opinions would have their curiosity raised by the controversies which Luther had occasioned; and the gratification of their curiosity would tend, in several instances, to produce a conviction of the truth of his positions. All this was in fact so much the case, that a revolution of no small importance was wrought in the minds of many of our countrymen. Various persons, of considerable eminence with respect to their situation, rank, or literature, rose superior to the ignorance and errors of their ancestors, broke the fetters of authority, and indulged a freedom of thinking concerning points of the greatest magnitude.

At first, however, the reformation was violently opposed by the chief governors of the nation. The king took an active part against it, and such was his zeal, that it induced him to appear in a very peculiar light, which was that of a Royal Author. This was a character which princes in general had for many ages ceased to assume, and there had been no example of it in our own country, since the days of Alfred; unless, with Mr. Walpole, we are disposed to assign that rank to Richard the First, on account of his having composed a sonnet, during his captivity, on his return from the Crusades. Henry the Eighth was certainly more capable of distinguishing himself as a writer than most of the monarchs by whom he had been preceded, because he had received a literary education, and was not unacquainted with the school-divinity:

Whether he was the real author of the Vindication of the Seven Sacraments, in opposition to Luther, has indeed been called in question. Some have ascribed it to Sir Thomas More, and others, with greater probability to Fisher, bishop of Rochester. That the king had ample assistance in the composition of it, cannot reasonably be doubted; notwithstanding which, it might, perhaps, be in part his own production: for unless his majesty had been known to possess a certain degree of learning, the work could not have been published under his name without a manifest breach of decorum.

When sovereign princes condescend to present themselves to the world under the character of authors, their writings, whatever imperfections may attend them, are sure of receiving a high tribute of applause. Nor is it a praise of a common kind which will be thought sufficient for such exalted adventurers in the republic of literature. The merit of Henry was so great, that an extraordinary reward was thought proper to be conferred upon him; and accordingly, the Pope solemnly invested him with the title of "Defender of the Faith." This was a title by which he was, no doubt, highly gratified; and it is a title that has been assumed by all his successors. Henry himself afterwards deviated from it, in the sense in which it was originally bestowed; and in that sense it could not belong to any of our protestant princes. Nevertheless, to be styled Defenders of the Faith is still deemed a part of the prerogative of our monarchs, and is considered as a jewel in the British crown. But the real propriety and value of such a title may justly be questioned: for what has a king to do with any particular faith? It is his proper business and duty equally to protect all his subjects, without regard to their religious principles, provided they behave as peaceable members of society. With their theological tenets he should have no concern; it being sufficient for him to take care of their temporal security and welfare, leaving their souls to God and their own consciences.

Whatever degree of honour or applause king Henry the Eighth might derive from his performance, little effect was hence produced in controlling the progress of the new opinions. The dawning light was highly pleasing; and, as it proceeded in its course, it became too forcible to be obscured by the clouds which were endeavoured to be raised against it, either by our royal author or by any other theologian. A still greater and greater attention was paid to the principles of the Reformation; and the more they were examined, the more did they engage the assent of honest and open minds. They were embraced too, by many persons, with a zeal of which, at present, we have but a very feeble conception. Others, likewise, who had not the spirit of confessorship or martyrdom in them, rejoiced in the diffusion of liberal sentiments, and in the opposition to the tyranny of the church of Rome. It is possible that men in high life, and of worldly views, might anticipate, in their imaginations, the benefits which might accrue to themselves from the plunder of that church.

The most remarkable fact in the religious history of this time is, that, at length, Henry himself, though at first so ardent in his opposition to Luther, and though always maintaining the speculative doctrines of the Roman Catholic faith, should be the founder of the Reformation in England. A fact so extraordinary arose from a concurrence of circumstances, with which scarcely any of our readers can be unacquainted. Partly from scruples of conscience, and partly from a desire of gratifying his passions, the king wished to be divorced from his first wife, Catherine, who had been married to his brother Arthur. The Pope not readily complying with his solicitations for obtaining a divorce, he took another method of accomplishing his purpose. The opinions of learned doctors and universities were sought for, and appealed to; and it was determined, by many decisions, that the marriage was contrary to the law of God. The result of the affair was an absolute quarrel with the court of Rome; which concluded in the total renunciation of the pope's supremacy,

and in conferring upon Henry, by act of parliament, the title and prerogatives of supreme head of the Church of England; a title and prerogatives that have ever since been deemed a sacred and essential part of the royal dignity. For several years, the two grand controversies of the time, which employed the pens of the ablest men at home, and of many abroad, were concerning the validity of the king's marriage, and the foundations of papal or regal supremacy. These controversies are now of little moment, and scarcely any one thinks it worth his while to look into them. But they were of great importance at the period we are treating of; and, besides their importance in their own nature, they served to sharpen the human mind, to lessen its reverence for ecclesiastical authority, and to prepare the way for freedom of enquiry on subjects of the highest consequence.

The state of things, with respect to religion, was very singular, during the reign of Henry the Eighth, arising from his peculiar character and opinions. By virtue of his supremacy, he took upon him absolutely to direct the faith of his subjects; and those who did not submit to his dictates were exposed to persecution. At the same period, such as maintained the authority of the pope, and such as denied the doctrine of transubstantiation, were condemned to the scaffold or the stake. It was a sin not to go so far as the sovereign in religious opinion, and it was equally a sin to go beyond him. Such, too, was the capriciousness of the king, that his subjects could never know, with certainty, when or where their faith was to be fixed. Sometimes he permitted a considerable departure from several of the tenets of the Romish church, and sometimes he demanded a closer adherence to them; and the people were expected to fashion their creed, without hesitation, according to his varying dictates.

Amidst all this absurdity and tyranny of conduct, the knowledge of religion increased. Important questions could not be agitated, the supremacy of the pope could not be abolished, the monasteries could not be dissolved, and other alterations introduced, without giving a great
agita-

agitation to the minds of men, and occasioning many persons to pursue their secret speculations much farther than the king thought fit to prescribe. This disposition was greatly cherished, in consequence of the translation of the Bible, first by Tindale, and afterwards by royal authority; and by the permission which Henry granted to all the subjects in his dominions, to read it without control or hazard. Nor was it a small effect that was produced by a greater frequency of preaching, and by a new mode of it which was now introduced.

Amidst the variety of theological debates, the number of writers in divinity would of course be multiplied; and accordingly a catalogue of them would be far more numerous than what has occurred in any preceding article. According to the principles they maintained, they may naturally be distributed into two parties; those who opposed, and those who favoured the doctrines of the Reformation. Of the former sort the most eminent were, John Fisher, bishop of Rochester, Edward Powell, John Longland, bishop of Lincoln, Cuthbert Tonstall, bishop of Durham, sir Thomas More, Edward Lee, archbishop of York, Robert Wakefield, Stephen Gardiner, bishop of Winchester, Richard Smith, and cardinal Pole. Fisher has been noticed by us under the preceding reign. It is to be regretted that so learned and excellent a man should have preserved such a bigotted attachment to the authority of the Roman See; but, at the same time, the integrity of his character places him, in point of reputation, infinitely above many of his contemporaries, who, though secretly entertaining similar principles, submitted to the tyranny of Henry, and complied with all his requisitions. This encomium is equally applicable to sir Thomas More, whom we shall have occasion to speak of hereafter, under a more agreeable character than that of a theological writer. Some of the persons above mentioned, and particularly cardinal Pole, will come under review in a future article.

With respect to the divines who were favourable to, or who supported the Reformation, the chief were, Hugh Latimer, bishop of Worcester, William Tindale, John
 Fryth,

Fryth, Miles Coverdale, afterwards bishop of Exeter; William Barlow, successively bishop of St. Asaph, St. David's, Bath and Wells, and Chichester; John Hooper, in the next reign bishop of Worcester, and Thomas Cranmer, archbishop of Canterbury. William Tindale must ever be considered in a very honourable light, as having, by his translation of the Scriptures, prepared the way for a great accession to religious knowledge. With regard to Cranmer, he was undoubtedly the prime character among the divines of this period. His reputation still stands high, and will ever stand high in the annals of England. The part he acted during the reign of Henry the Eighth was highly eminent and important: nevertheless, as the Reformation was not completed by him till the next reign, we shall refer the fuller delineation of him to that time.

While the nation was making a progress in theological knowledge, and, in that respect, there was a prospect of greater improvement, the civil constitution of this country was reduced to a very deplorable state. Henry the Eighth was undoubtedly the most arbitrary prince of the house of Tudor. To the other means of investing him with a degree of power superior to that which had been exercised by his predecessors, were added the undefined prerogatives contained in his character as supreme head of the church. These, united with various concurring circumstances, were so great, and gave him such an uncontrolled authority, that the freedom of our government seemed to be almost wholly destroyed. Never was the history of parliament so disgraceful as in this reign. All which can be said is, that Henry so far respected the forms of the constitution, as to rule by parliaments. " It was by act of parliament that " monasteries were suppressed; that the king became the " head of the church; that the authority of the pope in " England, together with all the revenues which he drew " from that kingdom, was abolished; in short; that the " ancient system of ecclesiastical government was over- " turned. In the numerous divorces procured by the so- " vereign, in the regulations that were made concerning " the

“ the legitimacy of the children by his different wives, in
“ the various and contradictory settlements of the crown;
“ Henry never pretended to act by virtue of his own prerogative, but continually sheltered himself under the
“ sanction of parliamentary establishment *.” The power of imposing taxes was uniformly exercised by the house of commons; and even when the statute was passed which gave to the king’s proclamation the force of law, it was still the sanction of parliament that authorized the abominable murder of the constitution. It was provided, likewise, by the same statute, that the royal proclamations should not be prejudicial to any person’s inheritance, offices, liberties, goods, chattels, or life.

There was one man of eminent legal knowledge and abilities in the reign of Henry the Eighth. This was Sir Anthony Fitzherbert, king’s serjeant, and afterwards one of the judges of the court of Common Pleas. Several works were written by him, in the way of his profession, which have been highly commended by the best judges of the subject. Time and the immense accumulation of farther knowledge has lessened the utility of his publications, without detracting from his reputation.

With regard to philosophical science in general, little can be said in praise of this period. In moral philosophy Florence Wilson may be mentioned, a Scots writer, who lived chiefly abroad, and who was celebrated in foreign parts for his various literature. The name by which he is commonly known is Volusenus. His chief work was a treatise “ De Animi Tranquillitate,” which preserved a considerable degree of reputation for a long time, and which the author of the present article knows, by experience, to have been in the custom of being read, about forty years ago. It is an elegant performance, in which much use is made of the ancient moralists; and, if an imperfect recollection can be relied upon, Wilson was an imitator of Boethius. The Utopia of Sir Thomas More may be regarded as an ethical as well as a political composition.

* Millar.

As to natural philosophy, the time for improvement in that branch of knowledge was not yet come. People were still contented with the feeble science, or perhaps we might with more propriety say, with the ignorance, of former ages. There were, indeed, persons whom Leland, Bale, and Pits have dignified with the name of philosophers, and have characterised as eminent mathematicians and astronomers; but where are their inventions, experiments, and discoveries? No valuable proofs are to be met with either of their genius or industry.

Medicine is nearly allied to natural philosophy; and there were not wanting, in the reign we are treating of, some physicians of celebrity. Among these the first place and the highest applause are undoubtedly due to Linacre, whom we have before endeavoured to do justice to, as an excellent master and a zealous restorer of classical literature. In his own profession, he shone as much as any man of his time; several of Galen's works were elegantly translated by him; and in consequence of his projecting and accomplishing the institution of the "Royal College of Physicians" in London, he rendered a most important service to medicine and mankind. He was deservedly appointed the first president of the New College, which office he held during the remainder of his life. The other principal physicians of the reign were William Butts, John Chambre, Andrew Borde, Edward Wotton, and John Owen. Andrew Borde was the author of several Medical Treatises, and Edward Wotton wrote upon Natural History. "The Castell of Health," by Sir Thomas Elyot, who was not a physician, had much reputation in its day.

Classical and polite learning still continued to be pursued, though many were diverted from an attention to it by the theological controversies of the times. Some of those who had applied themselves to the cultivation of it in the former reign were yet living, to whose names others may now be added. Robert Whittington, Richard Croke, and Leonard Cox, distinguished themselves as grammarians. Richard Paice, Thomas Key, and Sir Thomas Elyot made

some figure as elegant scholars; and John Redman added to the character of a divine, that of being singularly instrumental in promoting the knowledge of the Greek and Latin languages. Sir John Cheke, sir Thomas Smith, and Roger Ascham, now began their illustrious career; but the distinct celebration of them belongs to a future article. The prime glory of the reign of Henry the Eighth, with respect to polite literature, was sir Thomas More. Though, according to Mr. Hume, there was no man in this age who had the least pretension to be ranked among our classics; he acknowledges that Sir Thomas seems to come the nearest to that character: with all his religious weaknesses, he was, indeed, one of the greatest ornaments of his time. "Sir Thomas More," says Mr. Warton, "is revered by posterity, as the scholar who taught that erudition which civilised his country, and as the philosopher who met the horrors of the block with that fortitude which is equally free from ostentation and enthusiasm: as the man whose genius overthrew the fabric of false learning, and whose amiable tranquillity of temper triumphed over the malice and injustice of tyranny." It must not be forgotten, that the visit of Erasmus to this country, and his short residence in it, contributed, in some considerable measure, to the promotion both of classical and theological knowledge. The lectures he read, and the emulation he excited, notwithstanding the violent opposition which was raised against him by Folly and Bigotry, justly entitle him to be ranked among the benefactors to English literature.

History assumes a better aspect than it did in our last article, though it is far from shining with any extraordinary degree of lustre. Here Sir Thomas More presents himself again to us, but not in the most favourable form. His History of the Reigns of Edward the Fifth and Richard the Third, is far from being esteemed among the best of his productions. It is not, however, ill written. The account of Richard is left unfinished; and the author entered too much into the prejudices of the house of Tudor to allow

low any quarter to the last monarch of the house of York.—The historical works of John Rastal, George Lilly, and Edward Hall have little claim to notice; though Hall is of some use to the antiquary; by the attention which he pays to the variations of dress and of fashion.—In perspicuity and elegance of style, Polydore Virgil, a learned Italian, who was patronised by both the Henries, and who spent the greater part of his life in England, far exceeded the writers now mentioned. But he is understood to be defective in the more essential qualities of an historian, being sometimes erroneous in point of information, and often destitute of candour. Notwithstanding these faults, his work is of considerable service to the later compilers of our English history.

Scotland produced two historians during this period, John Major, and Hector Boethius. John Major was not so highly favourable to the fabulous antiquities of his country as some who have succeeded him, and he writes as a friend to the liberties of the people. His style is rugged and unpleasant; in which respect he is far exceeded by Boethius, whose composition is recommended by its elegance. But elegance of language cannot make amends for the faults with which he is justly chargeable; and which are, an abundance of fabulous narration, and a credulity that, at present, appears highly ridiculous.

The reign of Henry the Eighth was adorned by an antiquary of the first magnitude, on whom the king very properly conferred the title of Antiquary Royal; a title which never yet subsisted in any other person. We mean the celebrated John Leland, whose merit will ever be testified by those who are grateful for the preservation of antient Manuscripts and Records, who are lovers of biographical knowledge, and who delight in the history of literature. To genius and a great extent of learning, he joined an assiduity and diligence in his researches, which nothing could escape. That such a man should, at length, become the victim of insanity, will be reflected upon with concern by every feeling mind. John Bale, who lived nearly at
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the same time, and who employed himself, among other things, in biography, deserves to be mentioned with praise upon that account; but he can by no means be compared with Leland.

The period we are considering was not unfruitful with regard to poetic writers. John Skelton had exerted his talents in this respect during the preceding reign; but his chief compositions belong to the time of Henry the Eighth. For his offences against decency, he must be spoken of in the strongest terms of condemnation. It is not sufficient to apologize for him, by charging his coarseness, obscenity, and scurrility on the manners of the age; for he exceeded the licentiousness of the times, and was censured by his contemporaries. His characteristic vein of humour is capricious and extravagant; his subjects are often ridiculous; and his matter is sometimes debased by his versification. On the whole, his genius was more adapted to low burlesque than to liberal and manly satire. In a poem of a graver kind, he hath shewn himself capable of exhibiting allegorical imagery with some degree of spirit and dignity; but it is still the comic vein which predominates. When Skelton attempts the higher poetry, he is not long able to support the dignity of the subject; and in his best efforts he is a very unequal writer. In a short ode which was composed by him, he has exhibited a specimen of the structure and phraseology of a love sonnet, about the beginning of the sixteenth century. For the most part, when Skelton wrote in any other vein than that of Satire and Jocularitv, he mistook his talents. An anomalous and motley mode of versification was practised by him, of which he is commonly supposed to have been the author. Notwithstanding Skelton's scurrility, he was a classical scholar, in which respect he has been applauded by Erasmus; and his elegiacs are a demonstration, that if he had not been led astray by his propensity to the ridiculous, he might have shone among the first writers of Latin Poetry in England, at the general restoration of literature,

isties of his poetry. Sir Thomas Wyatt appears in the most pleasing light, when he displays the happiness of retirement, and attacks the follies, vanities, and vices of a court. This he hath done with the indignation of a philosopher, and the freedom and pleasantry of Horace. There is reason to regret, from three of his poetical epistles, professedly written in this strain, that he did not apply more to a species of composition for which he seems to have been eminently qualified. He may justly be esteemed the first polished English satirist. There was an inviolable friendship between Wyatt and Surrey, arising, perhaps chiefly from a similarity of studies. Besides adopting the same principal subject for their poetry (the Passion of Love), they were alike anxious to improve their native tongue, and to attain the elegancies of composition. Both of them employed themselves in translating parts of Virgil, and in rendering select portions of Scripture into English verse.

Other poets of this reign, and poets too of high rank, were Sir Francis Bryant, the friend of Wyatt, and an accomplished courtier; George Boleyn, Viscount Rochford, brother to Queen Anne Boleyn; and Nicholas Lord Vaux, an eminent statesman and soldier.—In Tottel's collection of the poetical writings of this period, is found the first example that is known in our language of the pure and un-mixed pastoral. It is an example, likewise, of extraordinary merit. In ease of numbers, elegance of rural allusion, and simplicity of imagery, there is nothing of the kind equal to it in Spenser. The same collection affords one of the earliest instances of the pointed English epigram; and it is supposed, with some degree of probability, that it came from the pen of Sir Thomas More. Several poems, which were chiefly the performances of his youth, were written by Sir Thomas in his native tongue. They are now become obsolete, and are not recommended by any striking excellence. What principally renders them worthy to be mentioned, is their having been the productions of the restorer of literature in England.

Mr. Warton, to whose excellent History of English poetry we are under such peculiar obligations, hath brought

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to fight Nicholas Grimoald, a name which hitherto had been entirely unknown in the poetical annals of our country. He was an eminent classic scholar, and wrote a Latin tragedy, which was probably acted at Merton-College in Oxford, of which he was a fellow. But he is here noticed on account of his being the next English poet after the earl of Surrey, who wrote in blank verse. Besides having the honour of being the second person who adopted this new mode of versification, he gave to it additional strength, elegance, and modulation. Amidst many instances of those dissonancies and asperities which still adhered to the general state of our diction, he often approaches, in the disposition and conduct of his cadencies, to the legitimate structure of blank-verse, as it has since been improved and perfected. Grimoald wrote, likewise, in rhyme; in which respect he is inferior to none of his contemporaries, for a masterly choice of chaste expression, and the concise elegancies of didactic versification. Some of the couplets, in one of his productions, have the smartness which marks the modern style of sententious poetry.

There were in this reign some poets of a subordinate class, who, though they were far inferior to the earl of Surrey and sir Thomas Wyatt, and, indeed, were perfect strangers to the Italian school, had nevertheless a certain degree of merit. One of these was Andrew Borde, whom we have before mentioned as a physician, and whose poetry, even when he wrote in his medical character, was of the facetious kind. Such is the description which is given of his "Breviary of Health." He is thought, likewise, to have compiled or composed the "Merry Tales of the mad Men of Gotham," which had their admirers in their day, and still retain their popularity in the nursery. But Borde's chief poetical work, was "The first Booke of the Introduction of Knowledge;" in praise of which, however, our readers will be sensible how little can be said, when they are informed, that it has Skelton's baldness of allusion, and barbarity of versification, without his strokes of satire and severity. The only book of Borde's that can now afford any degree of entertainment, is his Breviary of Health, in which he has preserved many anecdotes of the private

life, customs, and arts of our ancestors.—John Bale sustains some rank among the poets of his time. Many scriptural interludes, chiefly from incidents of the New Testament, were composed by him. Thus was the Bible profaned and ridiculed from a principle of piety: but it is a consolation to reflect, that the fashion of acting mysteries appears to have expired with this writer.—Other poets, of whom it will be sufficient to mention their names, were Brian Ansfley, Andrew Chertsey, Wilfrid Holme, Charles Barnsley, and Edward Haliwell.

John Heywood, commonly called the Epigrammatist, must not be omitted. He is represented by some persons as the first writer of comedies in England; but when this character is given of him, it is spoken without determinate ideas. A sufficient distinction is not made, in such language, between comedies and moralities and interludes. It must, however, be allowed, that he is among the first of our dramatists who drove the Bible from the stage, and introduced representations of familiar life and popular manners. His Epigrams, which are six hundred in number, display the great want of refinement, not only in the composition but in the conversation of our ancestors. Heywood's largest and most laboured performance is the "Spider and the Flie," which is a very long poem in the octave stanza. The author seems to have intended a fable on the burlesque construction; but he has been very unfortunate in the execution of his purpose. It is scarcely possible to tell when he would be serious and when witty. The fact is, that the age was not yet sufficiently refined, either to relish or to promote much burlesque poetry.

To some part of Henry the Eighth's reign must be assigned the once celebrated composition, entitled, "The Tournament of Tottenham, or the Wooing, Winning, and Wedding of Tibbe the Reeve's Daughter there." This poem is a burlesque on the parade and foppery of Chivalry itself, in which light it may be regarded as a curiosity. It does honour to the good sense and discernment of the writer, that, while he saw through the folly of these fashionable exercises, he was sensible at the same time, that they were too popular to be attacked by the more solid weapons
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of reason and argument. To give dignity to the narrative, and to heighten the ridicule, the author appears to have affected an antique style; and to this cause it is probably owing, that the work has been ascribed to the age of Henry the Sixth.

Another poem, to which a higher degree of antiquity has been assigned than it can rightfully claim, but which was probably the production of the present period, is the celebrated "*Notte Browne Mayde*." Prior, seventy years ago, supposed it to be then three centuries old; but this was a hasty conjecture, founded upon his ignorance of our ancient poetry. It was first printed in 1521, and it is evident, from its language, that it could not have been written earlier than the beginning of the sixteenth century. There is scarcely in the whole piece an obsolete word, or one that requires a glossary. Many parts of Surrey and Wyatt are harder to be understood; and if any two stanzas are reduced to modern orthography, the appearance of ancient poetry will nearly vanish. There is reason to suspect that the sentiment of the "*Notte Browne Mayde*" was too refined for the general taste, though it has been enumerated among the popular tales and ballads of this country. Since Prior's paraphrase of it, it hath become more known than any other production of the same age. Whoever was the author of the *Notte Browne Mayde*, he has displayed great skill in contriving a plan which powerfully detains the attention, and interests the passions. Amidst a vicissitude of feelings, a striking contrast of character is artfully formed, and uniformly supported; and, at length, our fears subside in the triumph of suffering innocence and patient sincerity. It is much to the credit of the poet's invention, that he hath so happily succeeded in imagining the modes of trying the lady's patience, and in feigning so many new situations, which open a way to description, and introduce a variety of fresh scenes and images.

Other anonymous poems were produced in this reign, most of which were long known only to the curious research of the Antiquary. The pageantries of Henry the Eighth's time afford a proof that an acquaintance with classical learning was gradually diffusing through the nation;

and, on the whole, English poetry began to be divested of its monastic barbarism, and to attain to some degree of purity and elegance.

The poetry of Scotland, during the reign we are considering, doth not by any means appear in the glory which it assumed in our two former articles. In this period, the chief poet of that country was sir David Lindsay. His writings were very numerous, and, separately from their internal qualities, became extremely popular, on account of their being applied to the purposes of the Reformation. According to Mr. Pinkerton, sir David was more the Reformer of Scotland than John Knox; for he had prepared the ground, and John only sowed the seed. The best of his works is the history of William Meldrum, which is descriptive of real manners and incidents. He is said to have had the honour of first introducing dramatic poetry into North Britain. Sir David Lindsay's zeal for Reformation did not so far purify his conduct as to prevent his sometimes trespassing, in his productions, against the laws of modesty.

Another Scots poet of this period was sir James Inglis. His principal performance was the "Complaint of Scotland," which is well written for the time, and displays abundance of learning. Sir James appears to have read much in Greek and Latin authors, and to have been well skilled in Mathematics and Natural Philosophy. In one of his compositions he has mentioned a number of poets of his own country as then living, that is, about the year 1530. These are, Culrose, Kyd, Stewart, Stewart of Lorn, Galbreith, Kinloch, and Ballentyae. Concerning four of these persons, nothing is known. Lord Hailes has published some pieces of the Stewarts; and Balentyne, must mean John Ballenden, the translator of Hector Boethius's History of Scotland, in which work he has interspersed several poems, and, particularly, one entitled "Virtue and Vyce," which has been reprinted. The author of the article concerning Ballenden, in the Biographia Britannica, represents his writings as distinguished by that noble enthusiasm which is the very soul of poetry.

About this time was produced, by an unknown writer, a comedy, called *Philotus*, which is extremely valuable for its curious pictures of life, manners, dress, and other circumstances relative to the age in which it was composed. A strong charge of indecency has been brought against *Philotus*; but the piece has found an ingenious and zealous vindicator, who asserts that there are in it but two immodest lines.

It is an object worthy of notice, and which clearly marks the progress of knowledge and learning, that a number of persons of high rank should be ambitious of distinguishing themselves by their literary productions. The king stands at the head of them; and the noble authors of his reign were Nicholas Lord Vaux, John Bouchier, lord Berners, George Boleyn viscount Rochford, John lord Lumley, Henry Parker, lord Morley, and Henry Howard, earl of Surrey: concerning Henry Howard, we have already spoken at large; and we have mentioned lord Vaux and viscount Rochford. Lord Morley appears to have been a multifarious writer, and his compositions included both prose and verse. He chiefly distinguished himself as a translator; and the subjects of his translations, are classical, historical, and theological. A paraphrase which he wrote on the ninety-fourth Psalm, and which would naturally be deemed important by the divines of that time, was printed in 1539. Lord Morley, who was educated in the best literature which our universities afforded, was certainly one of the most learned noblemen of that age. John Bouchier, lord Berners, translated Froissart's Chronicle, by the command of the king, besides which he was the translator of some French, Italian, and Spanish novels. These novels constituted part of the fashionable reading of that period. —The only circumstance that entitles John lord Lumley to the appellation of an author, is his having translated into English Erasmus's *Institution of a Christian Prince*. All the noblemen here specified, lord Morley excepted, were deeply engaged in active life; so that they appear to have been animated with the desire of imitating those illustrious ancients who added the character of the scholar to those of the

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the statesman and the warrior : and, notwithstanding their prodigious inferiority to the great names of antiquity, the principle they were inspired with merits applause.

The reign we are treating of was distinguished by female as well as by noble authors. Mr. Ballard, in his "Memoirs of British Ladies, who have been celebrated for their Writings or Skill in the learned Languages, Arts, and Sciences," hath given a place to Catharine of Arragon, the first wife of Henry the Eighth. But this seems to have been done without sufficient reason ; for, though the queen had received a good education, and was a woman of good understanding, she could only be ranked as having been, in some degree, a patroness of literature, by the encouragement she gave to Ludovicus Vives and Erasmus.—Catherine Parr, Henry's last wife, is undoubtedly entitled to the character of a writer. Her works, which were partly originals, and partly translations, are entirely of a religious nature. She was a woman of admirable accomplishments ; and by her zeal to promote the reformation, and to spread the knowledge of the scriptures among the common people, she rendered very considerable services to this country.—But the most accomplished literary woman of the period seems undoubtedly to have been Margaret Roper, the favourite daughter of sir Thomas More. Under such a father she had every possible advantage in point of education, and he exerted all his talents, and called in every assistance, for the formation of her mind. It was not possible to have a finer subject of instruction ; for she had a ready wit, a quick conception, a tenacious memory, and a fine imagination. With these advantages from nature, her acquired improvements were equal to her father's most sanguine hopes and wishes ; and her abilities have been celebrated by some of the eminent scholars of that period. Her compositions were chiefly in the Latin tongue, in which she wrote with no small degree of elegance. Her great knowledge of the Greek language was evidenced by her translating, out of that language, into Latin, the Ecclesiastical History of Eusebius.—Anne Askew, who is placed by Ballard among his learned ladies, chiefly shines

as a martyr. Though not an author, she was certainly a woman of an excellent understanding, as well as of unconquerable virtue and integrity, and her memory is justly held in high estimation.

Some idea of the literary character and taste of an age may be formed from the nature of its publications. The works which were printed were numerous; and among these, controversial treatises, and devotional writings held a principal place. It is surprising what a number of law books issued from the press. The first Abridgment of the Statutes appeared in this reign, and it was speedily followed by other Abridgments. Magna Charter was so often reprinted, that it may hence be judged that our ancestors were extremely attentive to, and had a high value for that grand security of English liberty. Poetry, and the old tales and romances, continued to be read as formerly. Of the ancient classics we only recollect an edition of Virgil, and of Tully de Senectute, in Latin and English; so little encouragement had our printers to present to the public the invaluable monuments of Greek and Roman genius and learning.

Amidst all the tyranny and vices of Henry the Eighth, he was endued with a munificent spirit, and had a taste which led him to encourage the arts of design. Accordingly, these arts made, in some respects, a considerable progress during his reign. Henry had the honour of putting the finishing hand to the chapel of King's College, at Cambridge; which is undoubtedly one of the most complete, elegant, and magnificent structures in the kingdom. Its decorations, harmony, and proportions; its fine painted windows, and richly ornamented spreading roof; its gloom and perspective, all contribute to affect the the imagination with pleasure and delight, and, at the same time, to inspire the mind with awe and devotion. Some smaller specimens of exquisite workmanship, such as oratories, chapels, and monumental edifices, were also produced at this time, from which it may be concluded, that the architecture of churches arrived at its highest point of glory in

in England, just before its final period. There began, likewise, to be some endeavour to catch the correct graces, and to copy the true magnificence of the Grecian and Roman models. Though the king's numerous edifices are constructed on the ancient system, they are, nevertheless, sometimes interspersed with chaste ornaments and graceful mouldings, and are often marked with a legitimacy of proportion, and a purity of design, which had not heretofore been attempted.

As a lover and an encourager of painting, Henry the Eighth shines with an extraordinary degree of lustre. Such was his admiration of the art, and of the eminent men who excelled in it, that he endeavoured to tempt into England those two great prodigies of their profession, Raphael and Titian. Some performers were obtained by him from Italy, and others from the Low Countries; of whom, however, little is known but their names. The munificence of the king was but ill bestowed, till, at last, it centered on Hans Holbein, a native, as is generally supposed, of Basil, and whose varied excellence merited all the encouragement and rewards of his royal and other patrons. Holbein spent the greatest part of his life in this country, and the catalogue of his paintings amounts to a vast number. It was one of his talents, that he was equal to dignified character. He had the power of expressing the piercing genius of More, or the grace of Anne Boleyn. There is not a single countenance into which any master has poured greater energy of expression than in the drawing of sir Thomas More at Kensington. It was in oil, in distemper, and in water colours that Holbein painted. The last he had never practised till he came to England, where he learned it of Lucas Cornelii, a Dutch painter, in the king's service. It was soon carried to the highest perfection by Holbein, his miniatures having all the strength of oil-colours, joined to the most finished delicacy. Of Holbein's public works in this country, four only are at present certainly known.

The first is a capital picture in Surgeon's-hall, which represents Henry the Eighth as giving the charter to the company of surgeons. In this picture the character of the King's bluff haughtiness is well sustained, and all the heads of the company are finely executed. The second is a large piece in the hall of Bridewell, representing Edward the Sixth in the act of delivering to the Lord Mayor the charter which converted the palace of Bridewell into an hospital and a workhouse. It is believed that this piece was not completed by Holbein, as both he and Edward died quickly after the donation. The third and fourth were two large pictures exhibiting the Triumphs of Riches and Poverty. From a sight of these pictures, Zucchero formed a very high opinion of the genius of Holbein. There is nothing for which his name has more frequently been mentioned than for the picture of Sir Thomas More's family; though whether that picture now exists, is extremely doubtful. Holbein's fame was so thoroughly established, even during his life, that the Italian Masters deigned to borrow from him. Michael Angelo Caravaggio, in particular, was much indebted to him in two different pictures. So great an admirer was Rubens of his works, that he himself made some drawings of his Dance of Death, and recommended it to be studied by young painters.

The talents of Holbein were not confined to his pictures. He was an architect, a modeller, a carver; and was excellent in designing ornaments. Of his architecture there is nothing now standing but the beautiful porch at the earl of Pembroke's, at Wilton, from which, and from his drawings, it is evident, that he had great natural taste. A noble monument of his genius, the Gateway at Whitehall, has some years since been demolished. It is supposed that the beginning of the reformation in building was owing to Holbein. Besides painters, Henry the Eighth had several artists of note in his service. Pietro Torregiano, an eminent sculptor, was employed by him, and received a thousand pounds for the superb tomb of Henry the Seventh. Among many other artists encouraged by the king, John Mustyan is recorded as his arras-maker, John de Mayne as his seal-graver, and Richard Attyl as his graver of stones.

Music was an art that was in some degree of cultivation; but neither the secular nor the sacred parts of it were carried to any such perfection as to be worthy of notice in this place. Concerning the king, it is said that he composed a song and an anthem. His love for the art displayed itself in the care which he took that his children should be well instructed in music.

Among the encouragers of learning, Henry the Eighth has undoubtedly a right to be placed, though his conduct was not uniform in this respect, and he shines more as the patron of the arts of design, than as the promoter of general literature. After the dissolution of the monasteries, some noble literary projects were formed; and, at first, the king appeared very zealous for their being carried into execution. But such were the folly and extravagance with which his newly acquired revenues were dissipated, that the liberal schemes which had been planned, never took effect. Perhaps it may be regarded as some atonement for this fault, that Henry, towards the close of his life, became the founder of Trinity College, in Cambridge.

With regard to the point we are now considering, Queen Catherine deserves to be recorded with peculiar honour. Besides the encouragement she gave to the study of the Scriptures, and the cause of the Reformation, she rendered a singular piece of service to the University of Cambridge, on a very critical occasion. When an act had passed which threw all colleges, chantries, and free chapels into the king's disposal, the heads of the University were under the most alarming apprehension for the fate of their important and long established institutions. In this exigency they applied to the queen, and intreated her intercession with the king in their behalf, which she exerted so effectually, that the Colleges were preserved.

Two of the most eminent promoters of learning in this period, were Richard Fox, bishop of Winchester, and Cardinal Wolsey. Fox was the founder of Corpus Christi college, at Oxford; in which he instituted two professors for the Greek and Latin languages. This philological establishment may be regarded as the first conspicuous instance of an attempt to depart from the narrow plan of education

education which had hitherto been held sacred in the universities of England. The Latin professor was expressly directed to extirpate barbarism from the new society; and it was appointed that his lectures should not be confined within the private limits of the college, but lie open to the students of Oxford in general. Bishop Fox enjoined the Greek lecturer to explain the best classics in that language; and the choice of authors is extremely judicious. The poets, historians, and orators, which were recommended by the founder, were of the purest kind, and such as are most esteemed in the present improved state of ancient literature. It is remarkable, that this liberal prelate, when he formed his plan of study, did not institute a lecturer in philosophy for his college, as had hitherto been almost the constant practice in literary foundations. Perhaps he suspected that such an endowment would not have coincided with his new course of erudition; and would only have served to encourage those subtle and trifling distinctions of the schoolmen, which had so long choaked the paths of science, and obstructed the progress of useful knowledge. Corpus Christi college has been adorned by various learned men, and dignified ecclesiastics, of eminent reputation. The same may be asserted concerning Brasenose college, which received its full establishment in this reign. Its first and chief founder was William Smyth, bishop of Lincoln; and the design was carried to perfection by his relation, sir Richard Sutton.

The happy beginnings in favour of a new and a rational system of academical education, which had for some time appeared, and which had been so well cherished by bishop Fox, were seconded by the munificent spirit of Cardinal Wolsey. A public chair, at Oxford, was founded by him in the year 1519, for rhetoric and humanity; soon after which another was erected for teaching the Greek language. Both these appointments were accompanied with ample salaries. But the highest literary glory of cardinal Wolsey is his having been the founder of Christ-church, the noblest college of the largest and most illustrious university in the world. It would not be easy to do justice to this institution. The magnificence of its buildings, and the extent

of its foundations, justly call for admiration: but its greatest splendour is derived from the deans who have governed it, the bishops who have been educated in it, the canons by whom it has been adorned, and the learned men it has produced. It will never be forgotten that Locke was a student of Christ-church.

Two colleges were established at Cambridge during this reign. The first was St. Mary Magdalen's college, which had its beginning from the liberality of Edward Stafford, duke of Buckingham, and was completed by Thomas baron Audley of Wadten, Lord High Chancellor of England. Among the bishops which have sprung from this seminary, it may justly boast of Edmund Grindal, Brian Walton, and Richard Cumberland. In the catalogue of its other learned men, we find the names of Dr. James Duport, the eminent Grecian; Dr. William Howell, the historian; Samuel Pepys, esq. the famous naval writer, and collector of manuscripts; and Dr. Daniel Waterland, noted for his elaborate vindications of the Trinity, and for some other publications of greater value.

The other institution established at Cambridge in the time of Henry the Eighth, was the noble and extensive foundation of Trinity college, and which, indeed, is the prime glory of that university. Of this college the king himself had the honour of being the founder; and the magnificence and munificence of its structure and endowments, are worthy of a great prince. In literary reputation it hath always stood upon high ground. Among its bishops or its masters, it reckons John Whitgift, John Overall, John Wilkins, John Pearson, Isaac Barrow, Edward Fowler, Richard Bentley, Nicholas Cragge, Robert Smith, and Zachary Pearce. Its statesmen, its critics, its poets, its philosophers, its divines, it would not be easy to enumerate; and, to crown the whole, it can boast of having produced a Bacon and a Newton *.

* Burnet, Biographia Britannica, Hume, Millar, Warton, Pinkerton, Walpole, Bentham, Balard, Anthony Wood, Berkenhout, &c. &c.

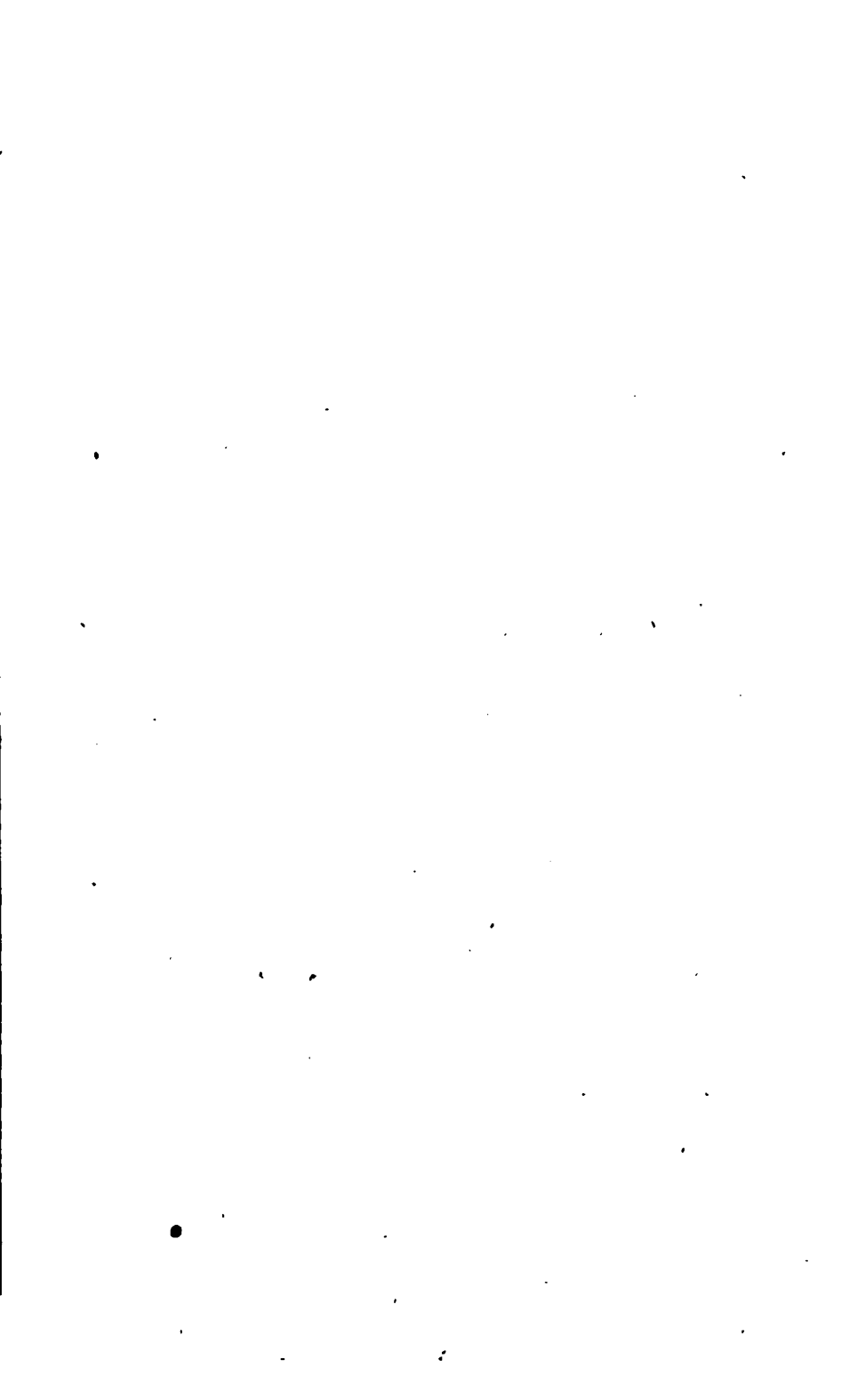
BRITISH AND FOREIGN

H I S T O R Y

For the Year 1787.

1787.

A



BRITISH AND FOREIGN HISTORY

For the Year 1787.

CHAPTER I.

*Affairs of Bengal. Situation of Oude. Negotiations at Debli. Oconqmir-
cal Reform. Mr. Hastings resigns. Affairs of the Carnatic. Surrender
of the Revenues. Lord Macartney resigns.*

WE intended to commence the present volume of our Register with a review of some of those transactions at Madras and Bengal, which succeeded the pacification with Tippoo Sultan in March 1784. But, before we attend to the facts subsequent to that period, it may perhaps be expected from us, that we should take some notice of a charge of partiality, which has been repeatedly brought against us, in our narrative of the conquest of Canara, and which has at length been embodied in a pamphlet, entitled, a Vindication of the Conduct of the English Forces, employed in that Expedition, published by the order of the East India company, and signed by one major, and fifty-two subalterns of the Bombay establishment.

The point chiefly laboured in this pamphlet, relates to the capture of Annanpore by major Campbel. Respecting this action we mentioned three circumstances, which undoubtedly were not considered by us as topics of applause. "No quarter was given by the army, and every man in the place was put

to the sword, except one horseman, who made his escape, after being wounded in three different places. The women, unwilling to be separated from their relations, or exposed to the brutal licentiousness of the soldiery, threw themselves in multitudes into the moats, with which the fort was surrounded. Four hundred beautiful women, pierced with the bayonet, and expiring in each other's arms, were in this situation treated by the British with every kind of outrage." These facts were related, partly on the authority of a printed letter of lieutenant John Charles Sheen, an officer on this service, and the last of them only is controverted in the Bombay pamphlet. Mr. Sheen was called upon by one of these officers to disavow the facts stated in his letter; and in his reply he observed, "that the business of Annanpore, was greatly exaggerated, and contrary to what he wrote home, together with the whole of that publication (the printed letter)." We are sorry that this gentleman has not been more explicit, as a disavowal, couched in terms so extremely in-

definite, throws a general shade of obscurity over his testimony, while it cannot take away a certain degree of authority from his original letter. We are left to suspect, that he would have been more peremptory in his contradiction if he could; and we are entirely in the dark, as to the person who interpolated his narrative, and the motives that could have instigated so extraordinary a proceeding. The letter, it seems, was addressed to his father in London, and we hope, if that gentleman be still living, that he will communicate to the public the real circumstances of the case. But this is not all, Mr. Sheen adds, "that he never commented upon the business of Annanpore himself:" an observation particularly unfortunate, as facts, not comments, compose the matter in question. In the mean time we must observe, that the story of the four hundred women is explicitly contradicted in the pamphlet of the officers, and we therefore cheerfully declare our conviction that it is founded in misrepresentation.

There are only two circumstances beside these, that receive any distinct notice from the Bombay officers. At Onore, and again at Annanpore, the places were taken by storm, and orders were issued that no quarter should be given. This account is admitted in their pamphlet, and three apologies are offered. In the first place, the proceeding was "according to the rules of war." In the next, "that the garrison of Annanpore was treated with particular severity, was entirely owing to their having been guilty of a breach of the law of nations, in detaining a flag of truce that was sent in by major Campbell to summon them to surrender:" and lastly, they observe, "that

those who served in the expedition, did not forget the calls of humanity, and lamented that the horrors of war should have involved the innocent with the guilty:" but add, "the soldier must pay implicit obedience to the voice that commands him, however the feelings of the man may be affected." The two first of these apologies we shall leave to be estimated by the reader: in the last we acknowledge a degree of weight, but we had not then, nor have we now materials, to enable us to ascertain in the case of each individual, what is to be ascribed to the deliberation of choice, and what to the passiveness of submission.

It is already sufficiently evident, how little has been effected by the vindication of the Bombay officers. The great outlines and character of the expedition remain unaltered. It is still true, that a remarkable degree of severity was employed in the field; that in the capture of the fortresses of Canara the principle of a storm and no quarter, was very frequently applied; and that the acquisition of money was too much the governing object in every stage of the undertaking. The vindication of the officers has therefore done them little service; and it happens here, as it generally does in the case of an imperfect reply, that the majority of the facts are rather strengthened and demonstrated by the attempt to refute them. With respect to the conclusion of the story; the treasures of Hydernagur; and the charge brought against them by Tippoo, that they had broken the terms of capitulation, and that when the fort was surrendered not a rupee was to be found in it; these circumstances are passed over by the officers in the profoundest silence. It was this, that roused the sultan

to vengeance; and it is to this, that he appeals for his justification in disregarding a capitulation which had first been dissolved by the vanquished English.

The reader will naturally imagine, that the authors of the New Annual Register were instigated by no personal malevolence against their countrymen in India, and that they were actuated solely by a regard for justice and humanity. That the surviving officers would be mortified by the result of the picture, was a circumstance which was originally in our view, though we did not permit either an unwillingness to offend, or a dread of resentment, to deter us from the execution of our duty. Whether or not what are called the rules of war, justified the most sanguinary proceedings in India, we never staid to enquire. We were not ignorant, that they were successfully applied to the justification of those actions in ancient or modern times, which truth and humanity contemplate with horror. It has been said, that we treated the petty bloodshed of Canara with reprobation, while the greater ravages of Hyder did not equally excite our indignation. Supposing this to be true, it may be accounted for by a very obvious reason. In inveighing against Hyder, we should only have been gratifying national predilection, and inviting a spirit of retaliation and carnage. In condemning the improper proceedings of our own forces, we were animated by a suitable zeal for the British character; we were contributing what was in our power to the termination of those scenes in India, which have so long disgraced us; we were rousing the voice of equity in the breasts of the delinquents; and convincing them, that the hardships they might suffer,

could not annihilate the remembrance of the blame they might incur. To return to the subject of our history.

In the New Annual Register for the year 1784, we brought down the transactions, both of Madras and Bengal, to the close of the year 1783. The remaining transactions, which are necessary to complete our survey of the administration of Mr. Hastings and of lord Macartney, belong to a period of tranquillity, and are therefore unlike those which have preceded them, unconnected and desultory. One of them, which has formed an object of some disquisition, carries us back beyond the period we have assigned. So early as the month of August 1782, major Browne was commissioned by the supreme council, which then consisted of Mr. Hastings, Mr. Wheeler, and Mr. Maepherson, upon an embassy to the Great Mogul at his capital of Delhi; and his instructions were drawn up by the governor general, and approved by the board. We were at that time engaged in war with the Marattas, Hyder Ali Khan, the French, and the Dutch; and it appears to have been conceived, that in this situation, we were bound to look out on all sides for confederates and allies. Of all the powers in India indeed, the Great Mogul was the least formidable in respect of apparent strength. His immediate dominions has been alternately the prey of the Marattas and the Seiks, and in 1765, he had taken refuge in the seat of the English government at Calcutta. From the period at which he had quitted our territories in 1771, his condition had not meliorated; and accordingly the overtures, which major Browne was impowered to make, were not for any reinforcement on his

his part, but on the contrary to encourage any proposal, that should be suggested by the Mogul or his minister, for military assistance from Bengal. One of the causes of major Browne's being sent at this time, was the death of Nuzeph Khan, the Mogul minister, in the preceding April, who had been in long habits of connection with the government of Calcutta. This connection it was deemed highly proper to maintain; and it was conceived, that, however weak were the actual power of the Mogul, the sanction of his name, and the stamp of his authority, would have no inconsiderable influence in inclining the balance of war.

It happened to major Browne, as it had done in several other of our Indian transactions, that, instead of proceeding immediately to the place of his destination, he was detained first in Oude, and afterwards in other places in the course of his route, so that he did not reach Delhi till December 1783. Upon his arrival however he lost no time, and immediately arranged with Asrafiab Khan, the then minister of the Mogul, the articles of an agreement, drawn up in the spirit of his instructions. Accordingly in the same month, he addressed a letter to the governor general, informing him of the state of the transaction, and representing in an emphatical style the urgency of the business. "We have offered to treat," says the resident; "the Mogul has accepted: we have annexed conditions; he has approved of them." But, in the interval between the preparation of the instructions and their execution, the situation of affairs in India was entirely changed; the treaty with the Marattas was already concluded; the French war was terminated;

and the period of a general peace seemed rapidly to approach. The question, whether a military assistance should be afforded to the Mogul, was debated in the supreme council in the month of October, and the board appeared to imagine, that, though once it might have been advisable, it was no longer so. Mr. Hastings indeed retained his original opinion; but he was left alone in a minority. And, the question having been already discussed, major Browne's letter was not taken into regular consideration, but was passed over in silence and neglect.

We have mentioned Mr. Hastings's intention of proceeding, in the beginning of the year 1784, upon a journey to Lucknow, the capital of Oude. The situation of the nabob of this province, the most important and powerful of our dependencies in this quarter of India, has long been extremely undesirable, and his complaints and expostulations had been loud and unintermitted. He was impoverished, by the magnitude of the subsidy levied upon him by the British government, which had gradually been increased from 36,000*l.* to 312,000*l.* per annum, and by the number of troops that was stationed in his territories from the same quarter. The remedies, which from time to time had been applied by the government general, consisted in temporary expedients, and not in the application of great principles of policy. We continually interfered even in the detail of his government; his first minister was merely the tool of the British, and the most opulent of his subjects were frequently the object of our complaint and persecution. Occasionally we withdrew a considerable part of the troops that were quartered

tered upon him, and they were almost immediately restored to their former situation: the nabob complained of our resident Mr. Middleton, and Mr. Bristow was substituted in his room; he again complained of Mr. Bristow, and Mr. Hastings set out for Lucknow to examine the accusation. The wounds of this great and fertile province were skinned over, and were never probed to the bottom. From the desolate and impoverished state of his dominions, the nabob ran in our debt for his annual subsidy; and he was prompted to confiscate the jaghires, or settlements, of his mother and grandmother, and to assess a disproportionate fine upon Fizulla Khan, one of his dependents, in order to discharge the arrears. These arrears were considered by many persons in this country, as the absurd claim of a nominal debt, since the ruin and desolation of the soil, were, in all countries and in common reason, a discharge in full for the rent: but it was supposed not to accord with the situation of the East India company, to consider them in that light.

The misgovernment of Oude is not to be attributed solely to the measures of Mr. Hastings. The fluctuating situation of our presidency, in which the governor general was at one time all powerful, and then for a longer time was left in a contemptible minority, the struggles to which he was reduced, in order to retain his authority and his influence, were undoubtedly the very natural source of a temporising conduct. The subsidy paid by the nabob to the English, occasioned a considerable drain of specie from his dominions, and he had no trade by which that specie could be replaced. Of consequence,

as Mr. Hastings justly observes, our subsidy is a source of impoverishment to the province, and the present advantages we derive from it must sooner or later cease to exist. In his present journey to Lucknow, the governor general relieved the nabob from a considerable part of the British troops, agreed ultimately to withdraw our resident from his capital, and our interference from his government, and appears to have put his supposed debt in a reasonable train of liquidation. These measures he obliged the supreme council to engage to maintain, before he quitted Bengal, and the good or ill effects that shall result from them remain to be seen.

While Mr. Hastings was at Lucknow, an extraordinary event occurred, which excited considerable speculation. This was the flight of the prince Jehander Shah, the eldest son of the Mogul, about thirty-six years of age, from the capital of Delhi; and his resolution to throw himself upon the protection of the nabob and the governor general at Lucknow. We have seen in various instances how common an event it is in India, for the ministers of the different princes to usurp their entire authority, and to hold their masters in a kind of honourable imprisonment. This was now the situation of the Mogul. The minister that succeeded, upon the death of Nuzeph Khan, who had for several years held the reins of government, was Mirza Shuffeh; but he did not long retain this enviable situation. Towards the end of September 1783, when he had held his office about eighteen months, he was treacherously assassinated in a public procession by Affrafiab Khan, a discontented subject of the Mogul, with whom he

had just concluded a treaty of accommodation. Mirza Shuffeh had probably been the minister of his sovereign's choice; but Affrasiab, who seized upon this opportunity, under the name of first minister, to wrest the conduct of government from the feeble hands of the Mogul, was undoubtedly unacceptable to his master. His treatment of his prince was conformable to the unprincipled treachery and ambition, which had appeared in his conduct towards Mirza. He allowed the Mogul no voice, no concern in the affairs of his government. Not contented with this, he went farther: he deprived the monarch of the whole of his revenues, and dealt out to him a scanty pittance with so avaricious a hand, that the successor of Aurungzebe and the nominal sovereign of all Indostan, was reduced to the most unbecoming and mortifying extremities. Prince Jehander, pierced to the soul by the situation of his father, embraced an opportunity of flight, in order to gain by his representations some relief from the authority and interference of the English government. But, though his purpose appears to have been thus filial and virtuous, his father was obliged by his tyrannical minister, to send circular orders to every quarter for his apprehension, and to demand of the neighbouring princes, that they should refuse him both countenance and protection. The Mogul however found the opportunity of speaking privately to major Browne, the English resident, and assuring him, that this demand was the result of compulsion.

Prince Jehander was accordingly honourably received by Mr. Hastings, who speaks of him, in his letter to the court of directors, in terms of high commendation, and

relates, that the pecuniary presents he received from himself and the nabob, were faithfully sent by him to the Mogul, the prince observing at the same time, "that, while he knew his father daily experienced the greatest distresses, he thought it unlawful for him to enjoy the luxuries of life." But this was all the relief, that Jehander was able to obtain. Upon the question, whether or not a military assistance should be offered to the Mogul, Mr. Hastings again differed with his council, and was again in a minority. The prince withdrew from the English dependencies, and took refuge in the camp of Madagi Sindia. Affrasiab was assassinated on the second of November 1784, and Madagi, who, either by chance or design, was at that time near the spot, embraced the opportunity, possessed himself of the person of the Mogul, and obtained the usual patents constituting him first minister of the empire.

Mr. Hastings, having completed the purpose for which he had travelled to Lucknow, returned to Calcutta on the seventh of November, somewhat less than a month after the death of Mr. Wheler, in whose hands he had intended, when he quitted the government, to leave the supreme power. It appears, that he had originally formed the resolution to have sailed for England in the beginning of the year 1784, unless some material change were introduced by the legislature in the constitution of the province of Bengal, and unless he were permitted to possess the supreme authority, without a continual, vexatious, and ineffectual struggle with the other members of his council. The representations of the nabob had induced him to exert himself for his relief and accommodation, and

and of consequence to defer his departure for England to the subsequent year. Having effected this purpose, and finding no reason to expect that his political authority would be increased by new powers from England, he spent the concluding weeks of the year 1784, in making such arrangements in the external and internal concerns of the province, as he conceived to be incumbent upon him previously to his departure, and as would cause the burthen of government to sit lighter upon the shoulders of his successor.

One of the most important of these arrangements related to the civil establishment of the province of Bengal. The salaries of persons, constituting certain boards, which had been instituted by Mr. Hastings, were undoubtedly such, as in this country we are used to regard as enormous. Mr. John Anderson, for example, a person of some character in the service of the company, received a salary of 10,000l. per annum, as a member of a board of account at Calcutta, at the same time that he actually filled the advantageous station of British resident at the court of Madagi Sindia. The appointments of the other members and of the presidents were equally lavish. The measure was defended by Mr. Hastings and his friends from the consideration, that emoluments, which might be adequate in Britain, might be much otherwise in India, where every person looked forward to the time, when he should return, and enjoy the fruits of his industry in tranquillity at home. It was added, that the revenues, which the salt office and the other board were appointed to superintend, were created by Mr. Hastings, and that this was a just source of liberal

allowance and of fair discretion to the governor general.

At length however it was thought, that a reform and reduction under these heads were indispensable. It was natural, that so long and so extensive a war, as that from which we were just liberated, should be a source of anticipation and debt to the company's possessions; and this debt was considered by some persons in so serious a light, as to be equivalent to a bankruptcy. In the mean time it did not amount to more than three crores of rupees, or three millions sterling; and the annual revenue of Bengal is computed by Mr. Hastings to amount to five crores and a half. But, trifling as the debt might seem, it was the source of great and serious embarrassment to the provincial government. The credit of the company was decried, the notes upon the treasury of Bengal were negotiated at an immense discount, the civil and the military establishments were left unpaid and discontented. In this situation Mr. Hastings believed, that no measure could be so effectual for the relief of the company as a reform; and he accordingly drew up a plan for this purpose, which was submitted to the supreme council on the twentieth of December 1784, and received their ultimate sanction on the fourth of January 1785. The period, which was chosen for this measure, was a subject of animadversion. By the enemies of Mr. Hastings it was said, that, in the first place, the admission of the reform amounted to an explicit confession, that the former establishment had been unnecessarily profuse. The retrenchment of establishments in itself indeed demanded great courage, firmness, and political virtue; individuals were disobliged, and only the

the public was benefited: the resentment of individuals was acute; the gratitude of the public was feeble and inactive. But Mr. Hastings had contrived to get all the reputation of a reformer without any of its disadvantages. He merely put his finger upon establishments, and he left it to others to bring home the principle to individuals. He carried away unfairly the applause of the measure, and left all its odium to his successors.

Mr. Hastings described his conduct in a very different light. In introducing the reform he had done all that was discretionary, and what remained for his successors, was what could not be avoided, and therefore might not be blamed. It was an argument of great political intrepidity, and of a high sense of conscious innocence, that Mr. Hastings should venture upon such a measure at such a period. He was just about to return home and to face his enemies. He knew that his conduct had loudly been arraigned, and that the set of men who had accused him, were respectable in their influence, elevated in their ability, and tenacious of their resolutions. There never was a time, in which he stood more in need of personal support, or had a stronger private inducement to court it. Yet he felt great satisfaction in closing his administration with a measure, necessary in itself, peculiarly incumbent upon him, but which would give mortal offence to numbers both in India and England. He expected the worst effects from it to himself, and he was prepared to encounter them.

Mr. Hastings sailed from Bengal on the ninth of February 1785. Having brought down his administration to a close, it may not be unnatural for us to say one word

to a question, which has been a subject of great discussion in England, and which has given rise to various opinions; we mean, the amount of his personal fortune at the time that he quitted his government. Undoubtedly we are unable to give complete satisfaction to our readers upon this head, and we might leave it for that future elucidation, which a lapse of years must necessarily afford. This elucidation will indeed be the torch, which will assist the pen of history. But, obliged as we are to collect our materials within a short period, we think, that it is proper to give the reader such information as we are able, and not to leave him entirely in the dark, merely because we cannot introduce him to meridian radiance. We will only bring together the facts that come before us, and leave the conclusion to be deduced by others.

By Mr. Hastings and his friends, his fortune has been said to be extremely small. In a pamphlet, which he published soon after his arrival in England, he mentions the circumstance of Mrs. Hastings's having come over in one year, and himself in another, as compelling him to the "repetition of an expence, which his fortune could ill afford." In a letter, which he addressed to the court of directors, and which is dated on the river Ganges, Feb. 21, 1784, he brings to account a number of items, the "aggregate of a contingent account of twelve years," which he confesses it was not his original intention to have charged upon the company, and which he "credits by a sum, privately received, and appropriated to their service." He observes, that his own "fortune is unequal to so heavy a charge," and he apologises for the mode he

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has adopted by remarking, that "their interest would suffer infinitely less by the precedent, than by the example of a life, spent in the accumulation of crores for their benefit, and doomed in its close to suffer the extremities of private want and sink in obscurity." Mr. Hastings and his friends have since become more explicit. He has applied to the company to settle upon him a pension, and the sum of 5000*l.* per annum was mentioned. But this proposal has been suspended on account of the impeachment now depending before the house of lords. Major Scott farther stated in the house of commons, during the last session, that the precise amount of the capital of Mr. Hastings's fortune was 60,000*l.*

It is undoubtedly natural in most cases, to take for granted the implications of one person, and the assertions of another, when they relate to a subject, with which they might naturally be supposed to be well acquainted. In the case of a criminal charge indeed, the personal allegations of the individual who is accused, are of course to be put out of the question. But with regard to major Scott, whatever improprieties he may be supposed to have incurred in the course of a long and obstinate controversy, his veracity remains unimpeached and unsuspected; and those, who are disposed to controvert his assertion, must be obliged to suppose, which certainly is not impossible, that he should be ignorant of the real amount of the fortune of his late principal. On the other hand, the sum itself is undoubtedly disproportionate, and it may be treated as incredible. The salary of the governor general, the great perquisites that have usually been annexed to his office, the instances we

have that Mr. Hastings did not always refuse sums of money privately tendered him, the frugality of his personal establishment, and the long continuance of his government, would have beforehand rendered it probable that he was rich. With respect to facts we know only one of any considerable weight. Mrs. Hastings, as we have already intimated, arrived in England in the year 1784, and about twelve months before her husband; and it has been said, that the sum, which was appropriated for her expences previously to the return of Mr. Hastings, was 4000*l.* per annum, and that this sum was to be paid by certain gentlemen, who usually had the transaction of Mr. Hastings's pecuniary affairs in England. Mrs. Hastings's expences were imagined so far to have exceeded this allowance, that the gentlemen thought themselves bound to remonstrate with her, observing, that the sum in question would scarcely do more than answer the apparent expences of one quarter, and that it was impossible for them to advance more than the sum that was appropriated. To this Mrs. Hastings replied, that she was perfectly competent to the conduct of her own affairs, and that they might rest assured, that she would not expose them to any difficulty, respecting the sum for which Mr. Hastings had rendered himself answerable.

The transactions of the government of Madras, during the period of which we treat, are not less important than those of the government general at Bengal. The most considerable affair of the administration of lord Macartney who presided, related to the assignment of the revenues of the nabob of Arcot, which was made by a solemn act to that nobleman in the month

of December 1781. This measure naturally arose out of the very unprovided and defenceless condition, in which the Carnatic had been found at the period of the invasion of Hyder Ali. It sufficiently appeared, that the persons, who had then the conduct of the nabob's affairs, were by no means qualified to assist by their efforts the resolute stand which was made by the English in that quarter. Attacked as we were on every side, struggling with a most formidable confederacy, of the sultan of Mysore, the peshwa of the Marattas, the suba of the Decan, and the raja of Berar, it would have been unjustifiable in us, to trifle with our situation, or to sacrifice the possibility of our political existence to the formalities of rank, and the ceremonial of a court. Lord Macartney therefore, by a conduct that has been generally approved in this country, obtained from the nabob the prerogative of farming out his districts and collecting his revenues, and this power was made over to the presidency of Madras during the continuance of the war, or for the specific terms of three or five years, as lord Macartney should agree with the renters under the new leases.

The salutary effects of this measure speedily began to appear. The president, unwilling to retain in his hands a power of so invidious a nature, and so liable to misconstruction, appointed, in conjunction with his council, a committee of assigned revenue for the conduct and superintendence of the territorial affairs of the Carnatic. These gentlemen made a report in the month of May 1782; and from this paper it appears, that they had been able to recover in some measure one half of the districts of the nabob from the ravages of war

that these districts were farmed by public advertisement to such persons as offered the best terms, and bore the most responsible character; that the rent for which they had agreed with the farmers was somewhat less than that, which the nabob professed to have made in the years immediately preceding the war; and that, by a reduction of the expences, the net revenue would somewhat more than double that, which had been raised in the former instance. Their system was to take complete effect on the 12th of the following July.

It was probably more owing to the distressed situation of his dominions, than to any conviction in his mind of the rectitude of the measure, that the nabob had been induced to yield his assent to the concession of December 1781. The ministers, who had conducted his affairs, the men who had brought upon his country all its present calamities, and who had fattened upon its spoils, were indeed terrified into silence in the moment of danger, but soon began to repent of their precipitation in not having dissuaded their master from a measure, which deprived them of so much of their influence. It is generally supposed, that a principal cause of the distress of the Carnatic had consisted in the corrupt proceedings of Mr. Benfield and others, usually known by the description of the English creditors of the nabob of Arcot. In the war before the last, the standard of Great Britain had been successfully erected, both at the mouth of the Ganges, and upon the coast of Coromandel; and the immediate consequence of our victories was the obtaining for the English East-India company a decisive ascendant in the dominions of the nabob of Bengal and

and the nabob of the Carnatic, Our influence in Bengal has produced its complete effect. Though the family of the nabob still exists, and though the heir possesses a nominal royalty, yet the government of Calcutta, under the name of his duan or treasurer, have engrossed the political power, and reduced the nabob to a mere cypher.

It is natural for a prince to be a lover of power; and we can scarcely censure in any man an unwillingness, to waste the term of his life in inglorious impotence and ease. These were the sentiments that had been felt by the nabob of Arcot; and he accordingly exerted himself to avoid the same kind of deposition and degradation, which had overtaken the nabob of Bengal. To effect this, he believed, that he could not adopt a more advantageous method, than that of creating an English party in his favour, which might balance, and occasionally control the direct influence of the presidency. Accordingly he entered into a friendly intercourse with many individuals of the English nation; he sought to heap upon them his favours, to attach them to his person, and to engage them permanently in his interest. In order to have the presidency more immediately under his inspection, he removed from his capital of Arcot to the hamlet of Chepauk, in the suburbs of Madras. Such is supposed to have been the rise of the debts of the nabob. That he might gain his ends, he gave to some bonds of pecuniary obligation for fictitious loans. In other instances he actually borrowed sums of money, which it was contrary to the regulations of the East-India company for any of their servants to lend, in order to confer immediate bounty

upon such as might not be able to wait for the slower operations of usury; or to support those necessities, which were the natural fruits of so corrupt a system. The debts once contracted, it would have been difficult, perhaps in many instances, impossible for the company, to distinguish the fictitious loans from the true; and it would have seemed to have been a hard measure, where large sums of money had really been advanced, though contrary to the regulations of the company, to have expressly forbidden the repayment of those sums. Nor would such a prohibition have been less ineffectual, than severe.

The creditors of the nabob had long had in their possession the collection of his revenues. Impoverished himself, he was unable to pay the interest of his loans in specie, and he had gone on from time to time assigning over to his creditors different districts of his dominions, in order that by their own management they might extract from those districts the annuities they claimed. It was natural, that this should have been a profitable trade to the creditors. Collecting themselves the interest of their money, they could charge without fear of contravention what sums they pleased for the expence of the collection, and could bring to account, as the amount of the real revenue, as little as they thought proper.

This trade had found a sudden and premature termination in the general assignment, that was made of his revenue by the nabob of Arcot to the presidency of Madras. That this was not opposed by the creditors, was partly owing, as has already been said, to the hopeless situation of the nabob's affairs. Perhaps for a time they flattered them-

themselves, that they should be able to obtain the same kind of influence over lord Macartney, that they had exercised over the nabob of Arcot. They had established a formidable power in the country, and, if not by inclination, at least by terror; he might be deterred from entering into open hostility with them. They had shown in their contest six years before with lord Pigot, that they were not without their partisans, either in the province of Bengal, or in the kingdom of Great Britain. But they speedily found their mistake in the present instance. The renters of the districts were almost all of them changed. In the granting of the new leases no attention was paid to the solicitations of friendship, or the acquisition of interest. It has never been imputed to lord Macartney, either by his friends or his enemies, that he displayed too much of forbearance and complaisance to the persons, who had most credit with the nabob of Arcot.

The controversy that followed was curious in its circumstances, and protracted in its duration. An account of the measure was sent over by the English government to the East-India company at home, and it received the sanction of the court of directors in the month of September 1782. Nearly at the same instant, the ministers of the nabob in India applied to the supreme council at Bengal to supersede the assignment of the revenues, upon condition that the nabob should pay out of them a specific sum monthly for the support of the war. Their petition was granted. Orders were dispatched to lord Macartney to give up the instrument of assignment; and it was understood, that sir Eyre Coote, who carried these orders in his last voy-

age to Madras, in March 1781, was authorised to proceed to extremities with lord Macartney, in case he refused compliance, and even to suspend him from his government. The death of that celebrated officer two days after his arrival, for the present diverted the storm, Major-general Stuart, a gentleman, who had been particularly active in the arrest and imprisonment of lord Pigot, was charged by lord Macartney with taking up the business, which sir Eyre Coote was to have finished, and carrying on a secret and improper correspondence with the council at Bengal. It was in consequence of this charge, that general Stuart was arrested by the order of lord Macartney in September 1783, and sent to England in the following month. In the mean time this nobleman, resting his confidence in the sanction of the court of directors, refused to comply with the mandate of the supreme council. That mandate had been repeated in the month of August, but without effect.

There are passages in the correspondence of the different parties in this business, that appear to deserve to be extracted in this history. The reasonings of lord Macartney, in defence of his conduct, and to induce the supreme council to give up their opposition, turn chiefly upon the injustice that would be done to the new renters, to whom leases had been granted for the terms of three and five years, in conformity with the conditions of the assignment, and who rested for their support upon the faith of the company. "Their leases," says his lordship, "cannot be legally torn from them. Nothing, but their previous breach of a part, could justify our breach of the whole; such a stretch and abuse

abuse of power would indeed not only favour of the assumption of sovereignty ; but of arbitrary and oppressive despotism. In the present contest, whether the nabob be guilty, or we be guilty, the renters are not guilty. Whichever of the contending parties has broken the condition of the assignment, the renters have not broken the condition of their leases. These men, in conducting the business of the assignment, have acted in opposition to the designs of the nabob, in despite of the menaces denounced against all who should dare to oppose the mandates of the durbar justice. Gratitude and humanity require, that provision should be made by you, before you set the nabob's ministers loose upon the country, for the protection of the victims devoted to their vengeance."

The charges that are brought by the court of the nabob against lord Macartney, are not a little extraordinary, and are in the same style with those which were heaped in laborious abundance upon lord Pigot. Beside the circumstances of inattention and neglect on the part of the president, of the decorum that was due to the nabob's dignity, in issuing grants and leases in his own name, and in not officially acquainting the nabob with the peace, till a month after it was made ; charges, which are founded in some degree of probability, they advance accusations, which, if they could be proved, would be inevitably fatal to his character. But they consist of circumstances the most incredible, and not seldom contradict and destroy their own assertions. One of the nabob's letters begins in the following style. " I am willing to attribute this continued usurpation

to the fear of detection in lord Macartney : he dreads the awful day, when the scene of his enormities will be laid open at my restoration to my country, and when the tongues of my oppressed subjects will be unloosed, and proclaim aloud the cruel tyrannies they have sustained." In another letter, lord Macartney's conduct is treated as unjustifiable, in appointing " a committee of revenue with enormous salaries, though his lordship well knows that most of them are by your orders disqualified by being my principal creditors." It is however to be observed, that, in the conclusion of the same letter, the nabob forgets this charge, and pathetically pleads in favour of his creditors. " It is not without great concern that I have heard insinuations, tending to question the legality of their right to the payment of those just debts ; their claims are the claims of justice, and their demands, I am bound by honour and every moral obligation to discharge. But I hope the tongue of calumny will never drown the voice of truth and justice ; and, while that is heard, the wisdom of the English nation cannot fail to accede to an effectual remedy for their distresses." Lord Macartney is farther charged in this correspondence, with " the greatest acts of cruelty, even to the shedding the blood, and cutting off the noses and ears of my subjects." He is charged with " secretly conniving at Mr. Bussy's recommendation to Tippoo to invade the Carnatic a second time, as the means of procuring the most advantageous terms, and furnishing lord Macartney with the plea of necessity for concluding a peace after his own manner." Lastly, he is charged with the most direct and shameless bribery in granting

granting a lease of one of the districts for half its value; and a letter, real or pretended, is produced, from his lordship's dubash or secretary, in his own hand-writing, in relation to this bribe. The dubash represents himself as obliged to write this letter, to satisfy the renter that his bribe had been faithfully paid; but requests, that "after perusal you will send it back to me immediately;" adding, "until I receive it, I do not like to eat my victuals, or take any sleep."

It is well known, that one of the first measures of the board of control, instituted under Mr. Pitt's East India bill, was a resolution of the fifteenth of October 1784, to surrender the assignment of the revenues to the nabob of Arcot. They conceived, that the power resulting from this assignment was such, that the assumption of it could in no way be justified, but by the emergency of the war. The ambition and incroachments of the East-India company, or its servants, had become an object of disgust to the princes of India, and by thus voluntarily surrendering a power which had been fully put into their hands, they believed that they should furnish the strongest argument of their disposition to listen to the voice of moderation and equity. Lord Macartney however did not enter into the spirit of these reasonings, and was extremely mortified to find a point, which he had so long laboured, ultimately decided against him by the highest authority. The orders having arrived at Madras in May 1785, lord Macartney immediately sailed in the vessel which had brought them, on the fourth of June, for Bengal. He was willing rather to try the

effect of his expostulations and remonstrances with the supreme council, who had acted most vehemently against him in the business of the assignment, than to give up without any provision the renters, for whose safety and indemnification he conceived himself to have pledged his own faith, and that of the company. Upon his arrival he found Mr. Hastings failed for England, and a short time after, on the thirty-first of July, he received the appointment of the court of directors, of the twenty-seventh of the preceding February, constituting him governor-general. Upon this appointment lord Macartney deliberated for a few days, and at length, having determined to decline it, took his passage for England on the ninth of August 1785.

A short time after the departure of the president, came on at Madras, the trial of major-general sir John Burgoyne, whose suspension and imprisonment by the order of lord Macartney, was noticed by us in the New Annual Register for 1784. The trial was held in the months of June and July, and the president of the court martial was lieutenant general sir John Dalling, commander in chief of the forces in India. The charges exhibited against general Burgoyne, were those of disobedience of orders and neglect of duty, in withdrawing himself from the army, at the time that general Lang was appointed by the council at Madras, to command in the field; and of causing and exciting mutiny and sedition, in having proposed and made preparations for holding courts martial under his authority, when that province properly belonged to general Lang. Of all and every part

of these charges, fir John Burgoyne was honourably acquitted by the court martial; but he survived his acquittal only a few months.

C H A P. II.

Proceedings of the States of Holland. Institution of a College of Tribunes at Utrecht. States withdraw to Amersfort. Capture of Elburg and Hattem. Stadtholder is deprived of the Office of Captain General.

IN our last volume, we traced the rise of those dissensions in the republic of Holland, which have since produced the most memorable effects. We endeavoured to investigate the spirit and principles of conduct of the two old parties in the common-wealth, the party of the states, and the party of the house of Orange; and we called the attention of the reader to a new set of men, proceeding upon different views, and pursuing an object, which had hitherto been entirely neglected in the progress of the Dutch affairs. This party has been commonly and justly styled the democratical party. We found, as may naturally be expected, a certain degree of shock and confusion resulting from the birth of this new party, which was not regarded with a favourable eye, either by the prince or the oligarchy. They had indeed originally owed their existence to the party of the states, who suggested the idea of the institution of the Dutch volunteers in 1783, as a balance to the regular army of the republic, which they suspected of being partial to the prince of Orange. But they had long seen the progress of the volunteers with an unapproving eye, and, in the effects which the institution produced, they were perhaps ready to repent of their concern in giving birth to it.

1787.

Where the situation of a state is such, as to make it desirable to any considerable part of it, that things should remain in their present situation, it may not be an unfavourable circumstance, for three independent parties or bodies to exist, of which one may serve as a kind of mediator or umpire, to prevent the mutual encroachments of the other two. But this was not the case with the republic of Holland. There was not a party, there was not an individual in the country, that wished to see things remain in the situation of the year 1785. The states had encroached in various instances upon the prerogatives, and resisted the dispositions of the stadtholder, and the party of the prince earnestly desired to see those prerogatives reinstated and confirmed. On the other hand, those who had advanced thus far, were not contented with what they had done, but desired to advance farther. They wished to reduce the prince as nearly as possible to a cypher in the state, and to provide that no individual should henceforth be able to resist the measures and system of policy they should think proper to adopt. Still less satisfied than either the states or the prince of Orange, was the party of the democracy. As they felt, perhaps more strongly than either of the others, the supposed recti-

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tude of their pursuit, they were more spirited in their conduct and bold in their measures. In this situation, and in the crisis that must necessarily result, it was indispensable, that there should be some sort of coalition or confederacy among the three parties, so as to bring the force of the state to act equally in every point in the ultimate extremity. If an union were effected of two entire parties, and if no foreign power interfered in the contest, to those two parties the victory might reasonably be expected to fall. But such an union was not completely effected. The states of the province of Holland, as we have seen, entered into concert with the democracy of Utrecht, and thus implicitly with the whole democratical party; while the states of the province of Utrecht now, as the states of the province Guelderland had done before, entered into concert with the prince of Orange. The immediate result of this combination was the forcible introduction of a garrison by the prince, into the town of Amersfort, in the month of August 1785; while on the other hand he lost, at least *pro tempore*, the command of the garrison of the Hague, and was induced to withdraw himself from the place of his usual residence, in the following September.

This period was a sort of crisis in the affairs of the stadtholder, and it was voluntarily accelerated by the prince himself. Accordingly his partisans both at home and abroad, endeavoured to bring forward at once all those circumstances that might be favourable to his cause, and appeared to expect to secure their victory by the magnitude of their effort. The king of Prussia, who has been silent from the spring of the year 1784, deli-

vered by his ambassador on the eighteenth of September a memorial to the states of Holland, and another to the assembly of the states general. In the first of these he observed, that he had hoped to have seen far different consequences result from his former friendly representations to the republic. How great then were his surprize and regret, when he learned, that, instead of reinstating the prince of Orange in any of his prerogatives, they had recently deprived him of the command of the garrison of the Hague, an appointment indisputably annexed to the dignity of his rank. The king desired not to intrude himself into the interior concerns of a free state, but he could not be indifferent to the fortune and happiness of the prince stadtholder. He concluded with offering to the states his mediation, and assuring them, that, if they would accept of it, he would conduct himself with the strictest moderation and impartiality. Another circumstance, from which the prince appears to have promised himself some advantage, was the opposition of five states of the union to the preliminaries, that had been concluded between the republic and the emperor. Rumours were industriously propagated, that the persons who negotiated these preliminaries, had acted rather upon the private instructions of certain distinguished individuals, than upon any public authority, and that their conduct would infallibly be made the subject of investigation and punishment. But the opposition of these five provinces did not prove lasting. The preliminaries were from the first highly acceptable to the states of Holland, and, as those states would probably in the end pay three fourths of the sum for the

the redemption of Maestricht, which was the popular objection to the treaty, it would have been absurd in a high degree for the other six obstinately to oppose. The last circumstance, from which the partisans of the stadtholder predicted the happiest consequences, was the conversion of the states of Utrecht, who had for a long time remained in a state of indecision, between the choice of evils offered for their acceptance by the stadtholder and the democracy, but had now ultimately declared themselves for the former.

It was probably with a view to these circumstances, and a desire to give them their full effect, that the stadtholder withdrew from his residence at the Hague, and thus by his apparent degradation expected to engage the sympathy and indignation of all men in his favour. Accordingly, in the limits of the republic, he gained an apparent preponderance in the provincial assemblies of Guelderland, of Utrecht, of Zealand, and even of Friesland; for which province the princess of Orange set out from the Hague, the day after her consort, and where she was received with every demonstration of loyalty and attachment.

But the adverse party made a very different use of this proceeding. They appealed to their countrymen, whether or not it was possible to have done otherwise than they had done, in a period of tumult and confusion. The ring-leaders were avowedly the partisans of the prince of Orange. The states had in vain expected from him in former instances the suppression of these irregular efforts of his friends. But, far from interfering, he had connived, he had looked on with pleasure, he had even, as was sus-

pected, in an underhand manner added fuel to the flame. The tumult had already continued some days, before the oligarchy had exerted itself for its suppression. But of all kinds of inattention and neglect, an inattention to the destructive proceedings of a lawless populace, is least to be admitted in a wise government. The states were therefore right in this instance in not waiting for the effect of expostulations, which had already been fruitless; but suddenly and decisively taking upon themselves the remedy of an alarming abuse. They were obliged, having once assumed the command of the garrison, to retain it for a period, sufficient to ascertain that the tumult was clearly subsided. But the precipitation of the stadtholder allowed them no time for the exercise of this precaution. They assumed the command of the garrison on the eighth; the prince withdrew from his residence on the fourteenth of September. He abdicated his trust; he obviously deserted the pursuit of his immediate interest. He deprived them of all discretion, and obliged them to make that a permanent, which might otherwise have been a temporary measure.

The dilatory and deliberate mode of proceeding that prevails in the republic of the United Provinces, is well known; and, though the present question was of the utmost importance, a serious decision was not made upon it, for near two months after the period in which it originated. The states of Holland appointed a committee of their body to enquire into the nature of the command of the garrison of the Hague, and this committee presented their report on the fourth of November. Here they justly observed, that the senates and states

of the different provinces were the undoubted sovereigns, and that the stadtholder was their servant; from which maxim they inferred, that the powers he exercised were only delegated, and that the state might resume them, whenever it saw sufficient reason to adopt that mode of proceeding. But, not contented with this establishment, they went still farther, and undertook to prove, from a resolution of the states of Holland, dated on the fourth and fifth days of March 1672, that the states had never meant to give the command of the garrison out of their hands, and that consequently the possession of that command by the stadtholder had been no better than an usurpation.

The principles of this report were implicitly adopted by the provincial assembly, and the next day they came to a determination, in conformity to the words of the resolution of March 1672, that the command of the garrison should hereafter vest in the council committee of the states of Holland. In the mean time the prince of Orange prepared a long and laborious answer to the report, upon which the measure was founded; and he appears to have been sufficiently successful in proving, that the circumstances of the resolution of 1672 were such, as not to authorise the conclusions the committee had drawn from them. He however found, that his affairs were so circumstanced as not to admit of an immediate remedy, and he accordingly established a sort of court for the winter at the castle of Loo in the province of Guelderland.

The oligarchy felt the new situation in which they had placed themselves, and they acted accordingly. It was not allowable for

them to remain in indolence and inactivity, and they were necessitated either to retreat or advance. They were surrounded with enemies. The whole body of the nobility, the whole body of the common people inhabiting the open country through the United Provinces, were favourable to the stadtholder. The influence of his office, the appointments, the emoluments, the contracts that were in his gift, necessarily ensured to him a large number of friends. Three fourths even of the inhabitants of the Hague, were ready at the smallest signal, to declare their aversion to the measures adopted by the present prevailing party. But the leaders of that party acted with a resolution proportionate to their danger. They were resolved to convince their countrymen, by those external symbols which are of all others best calculated to impress large bodies of men, that they were the true sovereigns, and that they were determined to assert and maintain that character. They directed, that, with the commencement of the ensuing year, the arms of the house of Orange should be taken out of the colours of the troops in the service of Holland, and that the arms of the province should be substituted in their room. They resolved, that the president of the provincial assembly should receive military honours and the salute of the garrison, as the president of the states general already did, and that those honours should be attributed to no other individual. They came to a determination, under cover of the military reduction which was now taking place, to disband the corps of one hundred Swiss guards, usually attendant on the person of the prince of Orange; and this motion was only qualified

in the sequel by a provision, that the corps, consisting chiefly of old men, should be suffered gradually to extinguish itself by the death of the members of which it was composed. They purchased a magnificent mansion, known by the name of Prince Maurice's Hotel, and appropriated it as a residence to the weekly president of the states of Holland. They built a state coach for his use in public processions, and directed, that victuals should be distributed to the poor at his kitchen, as had usually been done at the palace of the prince of Orange.

The friends of the prince of Orange were not idle during these transactions; but their measures were productive of no advantage to the cause they espoused. The inhabitants of the Hague, influenced by the partiality we have ascribed to them, drew up a petition in the month of October, addressed to the states of Holland, and requesting them, to interpose their good offices with the stadtholder, to induce him to return to the place of his usual residence. But the report of the existence of that petition no sooner reached the assembly, than they gave peremptory orders, that no farther proceedings should be held upon the subject of it. The king of Prussia addressed a second memorial to the states general, complaining, that he had received no satisfactory answer to his letter of the month of September, and calling on them to bring the affair of the garrison to a speedy termination. This memorial however only served to irritate the states of Holland by inviting, as it did, another assembly, to interfere in what was their immediate province; while the states general were not yet prepared to take any decisive measures

upon this important subject: A third attempt in favour of the prince of Orange had a still less favourable catastrophe. From the disposition of the people of the Hague, the attempt to introduce there the institution of the free corps, or volunteers, had been uniformly unsuccessful; and a number of persons now associated under the denomination of an Orange corps, the object of which was evidently, to abet the pretensions of the stadtholder. But this corps was the source of a new tumult, of which a very successful use was made by the oligarchy.

Among the symbols of sovereignty assumed by the states of Holland, one was to open a gate at the Hague, called the Stadtholder's Gate, which had yet never been opened but to processions, in which the prince made his appearance. The first meeting of the provincial assembly, subsequent to their having resolved upon this measure, was on the sixteenth of March 1786, and they passed on that day through the gate, with great pomp, attended by the garrison, and surrounded by a numerous concourse of spectators. The procession now passed in tranquillity; but the next day it was interrupted by one Morand, a hair dresser, who seized hold of the horses of M. de Gyselaar, pensionary of Dort, and then called aloud to some other persons, who appeared to be his confederates, to support him. These persons however felt a sudden terror, and the rioter was easily taken into custody. A strict inquiry was made into the affair; the persons accused upon the evidence of Morand fled to the stadtholder at Loo; the Orange corps, who appeared to have been concerned in the tumult, were broken; and Morand was convicted,

and sentenced to be hanged, though his punishment was afterwards changed into imprisonment for life.

Another effort in favour of the stadtholder was more important in its nature, and considerable in its consequences. The council or senate of the city of Amsterdam, had long taken the lead in the measures in opposition to the prince, and we believe, that, at this very time, the inhabitants of the metropolis were more unanimous in their political sentiments, than those of almost any other town in the republic. But the prince of Orange found an opportunity to gain over to his party M. de Rendorp, one of the regent burgomasters of Amsterdam, and who had for a long time taken a principal share in the oligarchical measures. This magistrate appears to have been possessed of considerable political skill and address, and he exerted himself indefatigably to bring over a majority in the town council to the interests of the stadtholder. His endeavours were not unsuccessful; and in the beginning of March he obtained from them a vote, recommending to the states of the province, to resolve to restore the prince of Orange to the command of the garrison of the Hague, subject to an express declaration, that the command should be regarded as revocable at the pleasure of the states. The example of Amsterdam was adopted by the town council of Rotterdam, and this revolution was so important in its nature, as to appear to promise every thing that was favourable to the prince of Orange. But it was immediately succeeded by the interruption of the procession of the states, and in consequence the question of the garrison was postponed by agreement for several months.

The incidents, that took place

in the interval, were of less importance. It has already been observed, that the states of Holland had long since suppressed the orange cockades and flags upon the churches, regarding them, probably with sufficient reason, as the signals of tumult. The friends of the stadtholder now adopted a different way of showing their attachment. Their windows were filled with all sorts of yellow and orange-coloured flowers, and no spectacle could be more rural and refreshing, than that, which was exhibited by these enthusiastical politicians. This signal however, like those which had preceded it, was prohibited by the provincial assembly, and the remainders of office were employed with much strictness in the removal of anemones, ranunculuses, and gilliflowers. The court of France, probably at the instigation of the oligarchy, who were offended with the language of the king of Prussia, delivered in a memorial to the states general on the twenty first of April, expressive of their disapprobation of any foreign interference with the internal affairs of the republic; and this language was soon after imitated in memorials from the courts of Prussia and Great Britain, with the addition of a clause, declaratory of their good wishes to the pretensions of the stadtholder.

The council of Amsterdam, now that they had once shewn an inclination towards the party of the stadtholder, seemed to hesitate at no proceeding which might best promote the object they had in view. Not contented with recommending to the states the restoration of the garrison, they wrote a circular letter to the other towns of the province, requesting them to adopt the same measure. They farther proposed to the provincial assembly the

the abolition of the free corps of the province of Holland, a body of men, distinct from, and less regular in their institution than the volunteers, or armed burghers of the different towns. But this question was held in reserve, and the question of the restoration of the garrison was finally debated on the twenty-seventh of July. Upon the division there appeared ten voices for continuing the command in the council committee, to nine that voted in favour of the stadholder. The majority consisted of the deputies of Dort, Haerlem, Leyden, Gouda, Gorcum, Schiedam, Schoonhoven, Alkmaar, Monnikendam, and Purmerent.

But, if the transactions, which thus took place at the Hague, were considerable, those, which passed in the city of Utrecht during the same period, were not less important. We have seen the moderation, or as by most it would be styled, the spirit of delay and procrastination, with which the burghers of that city proceeded from the autumn of the year 1783 to the autumn of the year 1785. Their plans were now ripened; their designs were become firm and determined; and, by continual reflection on their object, they had come to weigh in a just balance the obstacles they had to encounter and the force with which they should be able to resist them. In our last volume it appeared, that the council of Utrecht had, after some difficulties, appointed a committee of their body, for the purpose of digesting, in concert with the delegates of the burghers, a new regulation of regency, to be substituted in the room of the regulation of 1674. As the substance of this regulation seems to have been already drawn, though not in a form altogether satisfactory

to the democracy, the business which remained was easily dispatched, and the magistrates were enabled to submit the draught of what they called a provisional regulation on the eighteenth of September. It bore the name of provisional, because, though it was ardently desired, that all the towns of the province should concur at once in the intended reform, yet it was provided, if that idea failed, that the internal reform of the city of Utrecht itself should not on that account be postponed. In the true spirit of a popular government, this regulation was ordered to be read for fourteen days successively in the Guildhall of the city, and the inhabitants were invited to deliver in their objections in writing, either singly, or in associated bodies, as they might themselves judge fittest. The outlines of the regulation appear to have been, to abolish the interference of the stadholder in the election of the regencies, and to institute a new power or college of sixteen persons, denominated tribunes, who were to be elected by the people at large, and who, together with the deputies of the wards, were to have a negative in the first instance in the election of magistrates, and were afterwards empowered to accuse, censure, or depose any member of the council at their pleasure.

But it was in this situation of affairs, that the states of the province, who had at first been sufficiently favourable to the projected reform, now declared themselves peremptorily against it, and voted, that the regulation of 1674 was a just and beneficial regulation, and ought by no means to be subject to any variation. The council, encouraged by the example of the states, were not less desirous of e-

vading the intended change. Of the fourteen members of which the council consisted, twenty-five had indeed taken an oath on the twelfth of October, the period of the election of the annual magistrates, in conformity to the desire of the burghers, declaring that the regulation of 1674 was violent and unconstitutional, and promising to exert themselves to abolish it. But, notwithstanding this promise, they did not appear ready to take any steps, to give vigour and effect to the provisional regulation. The burghers waited during, what they esteemed, a reasonable time for that purpose, and at length, on the twentieth of December, presented themselves in a body under arms to the council, and insisted upon a compliance with their wishes. The council accordingly agreed, that the provisional regulation should from that day be considered as having the force of a law, and upon that day three months should begin to be carried into final execution.

The twentieth of March 1786 thus became a period of apprehension to the oligarchy, and of expectation and desire to the democratical party. But previously to its arrival the council came to a precipitate resolution, retracting their promise of the twentieth of December; forbidding all proceeding and association on the part of the burghers; and demanding from the stadtholder a body of troops for the support of their authority. Matters were not yet come to such an extremity, as to countenance and apologise for this proceeding. The states, as they had not been exposed to degradation by the threats of the burghers on the one hand, were not prepared on the

other for open war, and declared themselves against the present interference of the military. The provincial states of Holland forbade the troops, upon any pretence, or in obedience to the orders of any commander, to march against the city of Utrecht. The council were accordingly reduced to compliance; some of its members took an oath to observe the provisional regulation, and it was agreed, that, on the twelfth of October following, the annual magistrates should be chosen in conformity to its directions.

The inhabitants of Wyk, a town of the province of Utrecht, inconsiderable in itself, did not yield to their capital in the spirit and zeal, with which they pursued the democratical reform. In October 1785 they changed the regulation of regency, and, as well as the burghers of Utrecht, fixed on the twentieth of March 1786, as the period of adopting the new regulation. On that day they were little disposed to adopt any temporising measures. They called on the council instantly to swear to observe it, and they declared six members of that body, who refused to comply, to have by so doing abdicated their magistracy. Immediately on the same day, they elected six new counsellors, whose sentiments were more favourable to the democratical measures. The states of the provinces were highly offended with the presumption of the subordinate town, and conceived, that they should be better able to make an example of these inferior opposers, than of the burghers of Utrecht. They deposed by summary process the counsellors, who had been elected by the people, and they appointed a commission, accurately to investigate into the spirit and nature of these extraordinary proceedings.

Appre-

Apprehensive for the safety of their town, the inhabitants of Wyk did not on that account display any marks of pusillanimity and terror. They drew out the cannon of their fortifications, and prepared for a regular defence. The council, in perfect concert with the democracy, declared themselves ready to sacrifice their lives and fortunes in defence of the new regulation. The burghers of Utrecht entered into a solemn association to assist the inhabitants of Wyk to the utmost of their power, in case they were attacked. The free corps, through the whole province of Holland, offered to march to their assistance at an hour's notice. In this situation the states of Utrecht conceived they could not do better than temporise with the storm, and suffer, if possible, the popular spirit to evaporate. They remained inactive during the month of April, and it was not till the close of the ensuing May, that they ventured farther to summon the new counsellors of Wyk, personally to appear before the commissioners appointed to enquire into their affair. A messenger was dispatched to serve this notice upon the magistrates, and he was driven from the town with ignominy. A second messenger was forwarded, and he was thrown into prison. The states of Utrecht deliberated upon the affair on the tenth of June, but adjourned their proceedings, first to the fifth of July, and then to the fifth of August.

The slow and moderate proceedings, that were adopted by the oligarchy, would in many cases have produced the happiest effect, but in the present were the occasion of as much misfortune, as could have ensued upon violence and precipitation. The armed burghers of the capital conceived themselves ob-

liged to meet under arms on the days, upon which the council deliberated on the affairs of Wyk; and, being assembled, it was natural that they should confer on the subject of their domestic reform. There was little probability, that the citizens would obtain any thing from the voluntary concession of their council, and they had nothing to expect but from their own virtue and exertion. The period of the annual election was fast approaching, and, with a view to that solemnity, the burghers drew up on the fifth of July a declaration, by which they immediately assumed to themselves the benefits, included in the articles of the provisional regulation. At the same time they made a regular election of the college of the sixteen tribunes, and conveyed a notification to the council, requiring them to admit this new body to take the prescribed oaths. Their declaration they inclosed in a circular letter to the states of the other six provinces, and addressed another copy of it to the king of France.

The second of August was the next day of general meeting of the burghers of Utrecht. The council had in the interval formally refused to recognize the college of tribunes, and they were now summoned each one by name, to appear in the assembly, and to receive the oaths of the new elected body. The number of the actual counsellors was at this time thirty-seven; and of these only five answered to the present summons. The tribunes were solemnly installed, and their first measure was to declare, that thirty of the counsellors, in consequence of their having refused to fulfil the duties of their office, had abdicated their magistracy. Two of the counsellors, though they

they had not ventured to come forward upon this occasion, were known not to be disinclined to the cause of the democracy, and were therefore spared in the general proscription. In the conclusion of the day, the burghers unanimously nominated one of their body governor of the city, and ordered that the keys of Utrecht should be committed to his care, instead of being delivered, according to the established custom, to the president burgo-master.

The old council made one attempt to assemble after this period, and they called upon a small body of cavalry, stationed in the city of Utrecht for their assistance. This however was refused them, and nothing remained for them, but to enter their protest before the assembly of the provincial states, which was followed by similar protests by the nobility and the clergy. The burghers in the mean time were quietly employed, in filling up the places of the abdicated counsellors by the mode of popular election. The number of candidates, that offered themselves in so critical a situation, were few, and of consequence the filling up of the new council must be a gradual measure. Toward the close of the month, fifteen new counsellors having been elected, they were installed with the usual formalities, and took the oaths in the same manner as the tribunes had done. The states of the province were by these measures reduced to a more critical situation, than any in which they had hitherto been placed. They might have recourse to the obvious expedient of calling in the military, but there was at present little prospect of success from such a proceeding. They therefore adopted the more prudent, but not less peremptory

measure of withdrawing their assembly from Utrecht, and they met on the thirtieth of August in the town of Amersfort. This proceeding was followed by a protest from the new council, declaring, that there was no sufficient reason for so extraordinary a conduct; that the burghers had acted in the late revolution with tranquillity and decency; and that the meeting of Amersfort was unlawfully convoked, illegal in its nature, and incapable of its functions.

The democratical spirit, though its efforts were more memorable in the city and province of Utrecht, was by no means confined to so narrow a theatre. We have already seen the progress it made in the province of Overijssel. In Friesland the burghers of Lwarden, the capital town, petitioned the provincial states for a new regulation of regency; and the states in conformity with their demand directed the town council, in concert with the delegates of the burghers, to examine into the defects of the old government, and to report the result. The states of Friesland soon after became less favourable to the popular measures. In the town of Groningen a still farther progress was made. A college of tribunes was actually elected, and eight new counsellors nominated by the tribunes. Nor was the most considerable province, that of Holland, without its share of the same spirit. In Hoorn, in Rotterdam, in Dort and some other towns, efforts were made to set aside the regulation of 1674 with various success; no where with so complete a success, as in the ancient township of Dort. The states, whose object was in reality very different, endeavoured in an indirect manner to discountenance the pro-

progress of the democracy, but they were determined to retain the friendship of the new party, and dared not declare openly against them.

We have found, that the provincial assembly of Guelderland was, of all the public bodies in the republic, the most devoted to the prince of Orange. But the feelings of the rest of the inhabitants did not altogether coincide with the principles of the states. So early as the month of June 1784, the burghers of Arnheim presented a remonstrance, claiming a right of appointing to the office of counsellor by the mode of popular election. M. de Capellen of Marisch, one of the nobles of the province, who had formerly been chamberlain of the household to the prince of Orange, but was now deeply engaged in the democratical measures, endeavoured to effect in the district of Zutphen the abolition of the regulation of 1674. In a word, the spirit of reform daily advanced in its progress, and the states of Guelderland thought proper in May 1786 to publish a resolution, which they required the magistrates to post up in the market places of all the principal towns of Guelderland, confirming the regulation of 1674, condemning the drawing up any petitions for the redress of that regulation, and prohibiting the association of any bodies of armed burghers within their jurisdiction.

The inhabitants of the towns of Elburg and Hattem had been particularly active in the promotion of the intended reform; and they appear to have received the countenance of their magistrates. Upon the present occasion two of the counsellors of Elburg expressly forbade the posting up of the resolution of the states; and, having been re-

quired to account for so extraordinary a conduct, the answer they returned bore no marks of penitence and submission. The proceedings of the magistrates of Hattem were similar to these, and the states of Guelderland, indisposed to the tardy and dilatory measures of the provincial assembly of Utrecht, came to a vote on the thirty-first of August, requesting the stadtholder, to order a body of troops to march into garrison in these towns, and thus to overawe the refractory spirit of the burghers.

One of the motives which was said to have influenced the court of the stadtholder, to whose views the provincial assembly of Guelderland was blindly devoted, to adopt so untempering a conduct, was the death on the seventeenth of August of Frederick the Second, king of Prussia, whose successor, equally at the head of an army of two or three hundred thousand men, was in the vigour of his age, and was more nearly related to the stadtholder, as being brother to his consort, the princess of Orange. Be that as it will, the burghers of Elburg and Hattem, encouraged by the proceedings of Utrecht and Wyk, cleared their fortifications, erected batteries, and prepared to resist the forces that should be sent against them. They were assisted by the free corps of the province of Holland, some of whom marched to their immediate relief, and the rest proffered their succour in case of necessity.

A general alarm was spread through the whole extent of the union by a measure so formidable as that which was now adopted. It is true that in the preceding year a garrison had been marched into the town of Amersfort. But that measure

measure was not equally violent in its appearance, since the troops had been demanded by the town council of the place, and their demand enforced by the council committee of the provincial assembly. That measure indeed had been condemned by moderate men as precipitate and irregular; but the present proceeding was said to be in defiance of all the known principles of the government of the republic. It was notorious, that the council of every town was sovereign and paramount within itself. Nothing therefore could be less agreeable to the constitution, than the introduction of a garrison without the consent, and even in opposition to the remonstrances of the town councils. The alarm, that was excited by this measure, was greatly increased by the demand, that almost immediately followed, from the states of Amersfort for a detachment of troops to reduce to obedience the city of Utrecht.

Upon this occasion the states of Zealand and Groningen expressly prohibited the stadtholder from marching any of the troops of their division into the provinces of Guelderland and Utrecht. The states of Overijssel and Holland demanded from him an explicit declaration of his intentions, and recommended the entire removal of the troops, which had already been marched to different destinations in consequence of the present situation of affairs. The letter of the states of Holland was dated on the twenty-fifth of August, and they at the same time forbade the troops of their division, to march without an express permission from the provincial assembly. But these proceedings were insufficient to change the determination of the prince of Orange. His troops arrived before Elburg

on the third of September, and a few shot were fired on both sides, without killing or wounding any one either of the assailants or the besieged. The free corps at length withdrew themselves, together with the more enthusiastic partisans of the democracy, the people opened the gates, and the soldiers entered without farther obstacle. In Hattem the magistrates entered into articles of capitulation without the consent of the people, and the place fell into the possession of the military.

The news of the capture of these two places was not brought to the Hague till the sixth of September. The states immediately dispatched a letter to the prince of Orange, demanding from him in twenty-four hours a declaration of his intentions; and an explanation and apology were accordingly returned within the time prescribed. They also issued orders to the troops of their division, to hold themselves in readiness to march at a moment's warning. The next day they received the addresses of several bodies of armed burghers, requesting permission to set out immediately for the relief and defence of the city of Utrecht. The petitions were favourably received; the states took the free corps of the province under their protection; and opened their military magazine at Woerden for the assistance of Utrecht, which was expected to be immediately assaulted. On the eighth they repaired in a body to the number of fifty, to the assembly of the states general, in order to account for their conduct, and to acquaint them with the critical situation of affairs. The next day they issued orders to the troops, to march with all possible expedition to the frontier of the province; they

they voted an augmentation of twelve sous per week to their pay ; and they took into their service the corps of the rhingravel of Salm, which it had been in contemplation to suppress among the other military reductions. The troops appear to have yielded instant obedience to the provincial assembly ; they poured in from all quarters, and under the command of general van Reyssel formed a cordon along the province of Utrecht from Naarden to Schoonhoven, while two considerable detachments were stationed at the town of Haerlem in one extremity, and of Heusden in the other.

On the sixteenth of September a report was presented to the states of Holland by a committee of that body, the tendency of which was to shew, that, as by the orders already issued to the troops the captain general was really suspended from the exercise of his functions, it was proper, that that suspension should be made in a solemn manner, and that particularly he should be deprived of the right of nominating to any military appointment from that of ensign and upwards. This report was favourably received by the states ; and on the twenty-second a resolution was passed,

adopting the principles of the report, and further directing that the appellation of captain general should be withdrawn out of the titles of the stadtholder in the established liturgy. This resolution was approved by sixteen voices, out of the nineteen of which the states of Holland are composed, and it was followed by the protest of the equestrian order, and of the prince of Orange. In the former of these it was observed, that the office of captain general had been conferred by the unanimous vote of the province, and that therefore it could not be withdrawn by the mere vote of a majority ; and it was added, that some heinous crimes and misdemeanours ought to be proved upon the stadtholder, before they could adopt so penal a measure. By the prince it was asserted, that he was not even accused of infringing the constitution of Holland ; that that province had no right to animadvert upon the delinquencies, of which he might be supposed to have been guilty in the territories of the other provinces ; and that what he had done at the requisition of the states of Guelderland, was merely that to which he was obliged by his oath of office.

C H A P. III.

Mediation of Prussia and France. Revolution in the City of Amsterdam. Fluctuation of the States of Holland. Hostilities in the Province of Utrecht. Tumults. Preparations for War.

THE misunderstanding between the republic and the prince of Orange was now so far matured, that it scarcely seemed possible that it could be terminated in any other way than by the sword. The great question, that remained, was, whether the decision

sion, if this mode of decision were adopted, was to spring from the mere efforts of the parties among themselves, or whether any foreign powers were to interfere, so as to hasten, or to give magnitude and dignity to the catastrophe. The king of Great Britain was known to be favourably disposed towards his cousin, the stadtholder; but our country was scarcely ready to engage in military contention, and the aversion of the ministers for war was strongly presumed. The court of France was in long habits of connection with the oligarchical party in the government of Holland, and the count de Vergennes, her minister for foreign affairs, and the marquis de Verac, his creature and the present ambassador at the Hague from the court of Versailles, had cultivated the connection with much assiduity. But France was emerged out of war as lately as ourselves, and the seeds of a revolution of government in that country were then fermenting, which have since displayed themselves in more unequivocal symptoms. The king of Prussia of all the parties in question was the best prepared for a military decision. His army was infinitely the most numerous, and the discipline of that army was exemplary. His country had long been disengaged from any serious war, and the marches and counter-marches, such as had taken place in 1778 in the affair of Bavaria, were scarcely any additional burthen upon the public treasury. The king was in the commencement of his reign, and might naturally be supposed desirous of distinguishing himself by some vigorous action, that might establish his character, and attach veneration to his name during the remainder of his administration. But the king of Prussia,

if he were new to the conduct of a great nation, had however outlived the romantic passions of early youth, and was reported to be chiefly distinguished by the reasonableness and sobriety of his understanding. He could scarcely expect, that the court of France, the first political power in Europe, would quietly depart from that interference with the politics of Holland, upon which for centuries she had placed so high a value. He might make his account in a violent struggle on that side, and, if such were the event, the conquest of the republic would be no holiday expedition.

Frederic William the Second, upon his accession to the throne, appears to have been influenced precisely by the sentiments we have described. One circumstance there was in favour of a pacific settlement of differences, and of that one circumstance he was determined to make the utmost use. The extreme symptoms of contention had broken out in the autumn, and it was natural, in a controversy, which, whether it were terminated upon a larger or a smaller scale, promised an obdurate war, that hostilities should be suspended till the ensuing spring. Here then was a period, in which to make an experiment upon the success of treaty and mediation. The king accordingly lost no time. Immediately upon his accession to the throne he dispatched the count de Goertz, a person of weight and political reputation, to reinforce by his personal appearance the remonstrances of M. de Thulemeyer, the stated Prussian envoy. This minister carried with him a memorial, dated on the second of September, and addressed to the states general; and he had his first audience of that

that assembly on the seventeenth day of that month.

The prospect with which this minister opened his instructions, was not particularly flattering. The states of Holland had upon different occasions declared loudly against any foreign interference. In the preceding July, an answer had been prepared on the part of the states general to the memorials of Prussia and Great Britain, inviting their mediation; and, this answer being approved by six of the provinces, there appears to have been a design to carry it through surreptitiously, without communication with the deputies of Holland. The provincial assembly was highly inflamed by so unauthorised a proceeding, and they came to a resolution, rather to strike out their names from the union of Utrecht, and finally to desert the confederacy of the states general, than to suffer such a measure to receive the sanction of the republic. The memorial, transmitted by the count de Goertz, was taken *ad referendum* by the deputies in the states general, and the states of Holland now expressed the same aversion to all steps towards a mediation, as they had done during the life of Frederic the Second. Accordingly the Prussian commissioner was able to make no progress in the object, for which he had been employed. The states of Holland were the only party, with which he could negotiate. All discussion with any other assembly would have been ineffectual and useless; and, if this assembly were once brought over, the peace and ultimate settlement of the republic would inevitably follow.

But the king of Prussia was not so easily to be deterred from the settlement he had projected. He

had yet one expedient in reserve. The attachment of his court to the prince of Orange was too notorious. But the same objection, which was felt against the interference of Prussia, would not probably operate against the court of Versailles. Frederic William therefore directed his ambassador at that court to learn, whether they would be willing to join a commissioner of their appointment with his minister, the count de Goertz, to endeavour by their joint interference to bring the parties to reasonable terms. The sentiments of the French administration were similar to those of the king of Prussia. Like him, they desired to see the party they favoured in the republic extricated from their situation with advantage; and, like him, they were unwilling to try the fortune of war, till every other experiment had failed. They had yet another motive to conciliation, which the king of Prussia could not have. The party in opposition to the prince of Orange had now an unquestionable superiority; and, if a pacific settlement took place, the inevitable consequence must be, that the government of the United Provinces would be less in the hands of one man, than it had been at the commencement of the dissensions. Accordingly they nominated without delay M. Gerard de Rayneval as their minister, who had already negotiated with credit the treaty with the Thirteen United States of America, and the treaty of commerce with Mr. Eden, the commissioner of Great Britain. He set out upon his embassy in the middle of November.

The court of the prince of Orange, encouraged by the progress of their sentiments in the province of Guelderland, and influenced by the

the critical appearance, which the situation of affairs had now assumed, removed in the commencement of the winter, from the castle of Loo to the city of Nimeguen, the residence of the provincial states. Thither they were followed in the beginning of December by the count de Goertz, who carried along with him the outlines of the terms, upon which the states of Holland were willing to adjust their differences, and throw into oblivion the misunderstandings that had passed. These terms were, that the prince should renounce the influence, which he possessed by the regulation of 1674 in the election of the town councils. That he should be restored to the office of captain general, with the exception of the right of patents, or the prerogative of marching the national troops out of the territories of any of the provinces into those of another, without the previous consent of the states of the province into which they were to be marched. And that he should be reinstated in the command of the garrison of the Hague upon the conditions which had been proposed by the council of Amsterdam. A correspondence was carried on upon these propositions for several weeks. But the prospect of conciliation daily diminished, and on the sixteenth of January 1787, M. de Rayneval set out upon his return to Paris. The count de Goertz took his leave of the states general in the conclusion of the same month.

The sudden and premature termination of these negotiations was a topic of mutual recrimination between the contending parties. The oligarchical leaders exclaimed with warmth upon the inflexibility and obstinacy of the prince of Orange. Far from showing any deference to the states, who were his lawful so-

vereigns, he insisted in the most vehement manner upon his minute claims. He had shown no accommodation to the necessity of his situation, or to the spirit of the times. He had acknowledged no regret for the violent and injudicious measures, into which he had been precipitated. There was not a single concession, that had ever been hinted at by the court of Nimeguen. All the advances had been made, and all the moderation displayed, on the part of the states of Holland. But, if the oligarchy were vehement in exclaiming against the prince, the stadtholder on his part was not sparing in censure and recrimination. He imputed the unfavourable termination of the business, solely to the imperious and impracticable spirit of the envoy of France. M. de Rayneval had actually withdrawn himself, when the accommodation seemed to have the most favourable appearance. He would listen to no delay; he would allow for no prejudices. He was to dictate the terms of peace, and; because they were not accepted without a moment's hesitation, had abruptly withdrawn himself, and thus sacrificed the welfare of a whole country to his own pride and self-importance.

In order to prove these allegations, the stadtholder thought proper to publish the letters of M. de Rayneval to the count de Goertz, and the answers of the princes of Orange, who upon this occasion had undertaken the business of the correspondence on the part of her consort. It was immediately remarked by his adversaries, that the letters of the count de Goertz did not appear in this publication; and they professed to be at no loss to account for the omission. The late king of Prussia had recommended

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concession to his nephew, the stadtholder, and his successor had trod in his steps. The count de Goertz had doubtless expostulated with the ministers at Nimeguen upon the impolicy of their conduct, and had earnestly intreated them, to display less of inflexibility and perseverance. The prince on his part replied, that the omission had not been a matter of choice, that he had no copy of the papers of the Prussian minister, and that he had little or no acquaintance with their contents. We return to the transactions of the different provinces during the winter.

As the period of ultimate decision seemed to be rapidly approaching, the different parts of the republic appeared to assume a more clear and decided character, and to enlist themselves with more alacrity on the different sides. The provinces of Overijssel and Groningen, who had already attached themselves to the party of the states of Holland, proceeded in the introduction of the new system of government. The finishing stroke was given, in the beginning of the year 1787, to the reform of the councils of the three capital towns, Deventer, Campen, and Zwol, by a resolution of a great majority of the states of Overijssel. The stadtholder however and a part of the equestrian order remonstrated against the measure, and observed, that it was necessary by the constitution of the United Provinces, that every measure of great importance should be carried by an unanimous vote. The states of Groningen now voted, as the provincial assembly of Holland had done a little before, their express protection and applause to the free corps of the province. The states of Friesland, who had for centuries been the advocates of liberty and

privilege, and who had distinguished themselves on that side early in the present dissensions, had lately changed sides. They voted the abolition of the free corps of the province, a vote, which was treated with contempt by their citizens; and they engaged in a paper controversy, which was rather acrimonious and illiberal in its spirit, with the states of Holland. Friesland however, as well as Zealand, which had been more consistently stadtholderian, prohibited, in compliance with the representations of Holland, the employment of the troops against the citizens of the republic. In Zealand, Middleburg, the capital, was strenuous in the party of the stadtholder, while the magistrates, or the venerable lords, as they are styled, of Ziericzee, had been among the firmest and the most strenuous leaders of the opposition, and the council of Flushing had lately declared itself on the same side.

The province of Utrecht was of all others the most distracted and divided in the present dissensions. The towns, which were represented in the provincial assembly, were Utrecht, Amersfort, Wyk, Montfort, and Rhenen; and of these Amersfort and Rhenen were held in subordination by a military garrison. The other three were firm in the democratical measures, the two first refusing to acknowledge the deputies who pretended to represent them in the states, and the last refusing to send any deputies at all. The town of Utrecht however was so extremely important relatively to the rest of the province, that it had often been asserted by its council, that their deputies alone constituted the provincial states, and that the deputies of the other towns were entitled to nothing more, than

the character of spectators and advocates. Accordingly the assembly at Amersfort, having early tried their strength in preparations for the siege of the capital, and finding themselves insufficient, thought proper to yield a higher degree of deference and attention to the sentiments of this city, than any thing but policy, could have induced them to have done. They professed their willingness to accept of the mediation, which had been proffered by the states of the other six provinces in their present differences. The citizens of Utrecht required, as preliminary to any negotiation, that the present council should be explicitly acknowledged for a lawful assembly, and that the mediators should be commissioned, not by the six provinces, but only by Holland, Overijssel and Groningen. This point was in the month of February 1787 yielded to them by the states of Amersfort.

The states of Guelderland, in the midst of whom the court of the stadtholder resided, were not equally moderate in their proceedings. Their contest was not with a capital city, like Utrecht, but with petty towns, with whom they thought it would be a folly to dispute, when they had it in their power to crush them at a blow. Accordingly they refused the mediation, which they were invited by the other states to accept, and were even offended with them for offering to interfere in an internal transaction. Their contest was with rebels against their authority. They had therefore no concessions to make, and no terms to offer; when their adversaries implored their clemency, they should grant to them an oblivion of all that had passed. In the mean time it was taken up as a topic of

reproach against them, that the soldiers had behaved in the capture of Hattem with greater excesses, than had often been known in the conquest of towns from a foreign enemy. One hundred and thirty houses had been pillaged, and were now in an uninhabited condition. The states voted a sum of 7350 l. as a compensation to the sufferers, but they expressly limited the compensation to such as should return to their original habitations, and thus excluded those, who were firm in their adherence to the principles of the democracy. In the mean time, the minority, both of the equestrian order, and of the town deputies in the province of Guelderland, was extremely respectable. Another transaction in this province, that seems to deserve our attention took place in the month of November 1786. The affair of Brest had lain unnoticed from the period of the report of the commissioners in June 1785, but a new commission was now appointed for the criminal prosecution of the delinquents in that business. Their proceedings were scarcely begun, before admiral count Byland, commander in chief of the squadron in question, withdrew himself from the Hague, and retired to the court of the stadtholder at Nimeguen. The states of Guelderland immediately forbade him to appear before any tribunal whatever to answer for his conduct in the late war.

The province of Holland had hitherto affected a greater degree of unanimity and harmony, than any other of the provinces. At this time, when the public controversy was approaching to a decision, Holland appeared more distracted with contentions, and more balanced with opposing parties, than any of its neighbours. We have already

mentioned, that the town council of Amsterdam, gained over by the intrigues of M. de Rendorp, now enlisted itself in the party of the stadtholder. The council of Rotterdam followed the example of the metropolis. This defection, so formidable in its nature, it was the business of the oligarchical party to counteract by every method in their power. As they dared not propose any peremptory measures in the provincial assembly, lest in event they should find their majority converted into a minority, they instigated the inhabitants of the different towns to prepare addresses to the sovereign body, thanking them for the exertions they had made in opposition to the alarming progress of despotism, and promising to support them in such farther measures as they might judge necessary, with their lives and fortunes. These addresses were carried in a victorious manner in Dort, Haerlem, and other places, which had ever distinguished themselves in the party of opposition. At Amsterdam the address was signed by sixteen thousand seven hundred and twenty-two persons.

One of the propositions, which was at this time brought forward in the states of Holland, derived its existence from an association of fourscore magistrates, who in the month of August 1786, had drawn up a solemn act of confederation for the purposes, of the destruction of the absolute aristocracy; the setting bounds to a lawless democracy; the maintenance of the office of stadtholder within certain limits; and the support of the reformed religion and universal toleration. The deputies of Amsterdam took occasion from this circumstance, to propose the appointment of a commission, who should be

named by the states-general, to ascertain the bounds of the executive power, and of the prerogatives of the stadtholder. This measure, which was strenuously opposed by the patriotic party, was productive only of endless debates without arriving at any determination. About the same time the leaders of the opposition brought forward a motion, for suspending the prince of Orange from the offices of stadtholder and admiral-general, in the same manner as he had already been suspended from the office of captain-general. But the appearance of the deputies in favour of the prince was so formidable, that the party did not think it advisable to bring the question to a vote. In order to increase the number of voices in the assembly in their favour, they farther proceeded by the mode of petition from the towns of Heusden, Woerden, and other considerable places, to endeavour to obtain for them the privilege of sending deputies to the states of Holland. But this ground was found to be untenable, and the petitions were withdrawn in little more than a month from the time in which they had been presented.

The oligarchical party was at this time little disposed to pass over with indifference any event, that by the stratagems of policy might be turned in their favour. A tumultuous disposition displayed itself, in the close of the year 1786 and in the beginning of the year 1787, in various parts of the United Provinces, and these tumults had in former instances proved no unsuccessful topics of declamation to the opposers of the stadtholder. They appeared, without indeed producing any tragical effects, but in a manner sufficiently formidable to create alarm, at Amsterdam,

Rotterdam, and the Hague. Similar disturbances took place at Utrecht, and at Deventer: and at Goes, the capital of South Beveland in the province of Zealand, the mob proceeded to such a length, as to break open forty houses of the most considerable persons in the interest of opposition; and to pilage them of every thing they contained that was most valuable.

These violences, though confessedly committed principally by persons favourable to the prince of Orange, were however considered by the stadtholderians, as a topic of exhortation and reproach against their adversaries. They proved, what indeed was already evident, that the people, the body of the inhabitants of the United Provinces, were attached in the strongest manner to the prince of Orange. It was desirable that such scenes of confusion and anarchy should be prevented, but this, though they wished, it could not be expected they should effect. The only interference, that could be successful, ought to originate with their opponents. They ought, though late, at length to yield to the voice of their country, and not endeavour to force upon an unwilling nation, a violent and inauspicious revolution of government, and a disgraceful subjugation to the court of France. The patriotic party, in opposition to this reasoning, asserted, and endeavoured to prove, that these tumultuary proceedings had not originated in the impatience of the people, but had been feverishly spirited up by the more considerable partisans of the prince. They alluded to the fatal disorders of 1672 and 1747, and insinuated, that the stadtholder, finding that he could expect nothing from fair reasoning and tranquil discussion,

was willing, by plunging the state in anarchy, to take advantage of the moment of its calamity and usurp a despotical power.

Whatever were the truth of these allegations, the tumults do not seem at present to have produced any consequences, favourable to the prince of Orange. There is nothing, that is more naturally a source of terror to men, affluent in their circumstances, than the riotous proceedings of an outrageous populace. The power of those persons of this description in the province of Holland, who were friends to the stadtholder, did not extend to an immediate compliance with the demands of the rioters. They therefore took a step directly the opposite of this. They united with the patriotic party for the abolition of the corps of volunteers, which had been associated in favour of the prince of Orange, and which had been the apparent cause of many of the disturbances. Towards the close of February it was proposed to augment the garrison of the Hague, with a particular view to the violences that might be committed on the eighth of March, the anniversary of the birth day of the prince of Orange. The debates on this question were carried to an unusual length, and nearly engrossed the space of eight days. The obstacles to the proposition were at length removed, by the favourable interference of the deputies of Amsterdam, and by the deputies of Dort and Haerlem adopting the decisive measure of withdrawing from the Hague, till by the proposed augmentation, the states should be enabled to pursue their deliberations with freedom.

The party, which had long taken the lead in the provincial states of Holland, were encouraged
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by the dissatisfaction which seemed to be growing against the court of Nineguen, to revive their proceedings against the stadtholder. Having been defeated in their attempt to suspend him from his three great offices within their province, they now adopted a measure founded upon the proposal of the associated magistrates of Amsterdam. They had opposed that measure, first, because they stated it as contrary to the constitution, that any great internal object should be primarily discussed in the assembly of the states general; and secondly, because they were apprehensive of the event, provided the matter were discussed by a committee indiscriminately selected even from the deputies of their own province. It was therefore moved by the deputies of Haerlem, that a committee of fifteen should be appointed, to enquire into the prerogatives of the stadtholder, and to prescribe the limits which should be laid down to them in future. This proposition was long under discussion, and was attended with extraordinary difficulties. The question for appointing a day for the selection of the committee was carried by a majority of one.

So small a majority, and a majority which had been gradually diminishing, afforded no unequivocal symptom of the expiring power of the patriotic party. Accordingly on the thirtieth of March, the day appointed for naming the committee, it was proposed by the friends of the stadtholder, that, instead of fifteen, the committee should consist of nineteen members, one for each of the bodies which have a voice in the provincial assembly, and the question was carried against the party which had lately predominated. This victory

was succeeded by a resolution, recommending the refugees of Elburg and Hattem to the clemency of the states of Guelderland, a measure, which was represented by the enemies of the prince of Orange, as full of treachery and ill faith, and as a virtual denial of that protection, which Holland had a few months before engaged to extend to these martyrs of the democracy. The leaders of the defeated party were actuated by the highest degree of resentment. The town councils of Haerlem, Leyden, Alkmaar, and Purmerent, voted their protection to the refugees, and offered them the privileges of burghership. At the same time eight of the persons, who had been chosen upon the committee of nineteen, declared their resolution not to engage in a business, which was now rendered so apparently the creature of the stadtholderian party.

The victory of the prince of Orange in the states of Holland was of short duration. So unexpected a change only served to accelerate those strong measures, which had long been in contemplation, and which the critical situation of the oligarchical party now rendered essential to their safety. The indignation, which was excited, appeared most strongly in the language and conduct of the armed burghers of Amsterdam, who declared their firm resolution to effect the immediate recall of the three deputies of that city in the provincial assembly. The idea of bringing about a revolution in the town councils of Amsterdam and Rotterdam, was coeval with the majority obtained by the stadtholder in each of those cities. In the latter the armed burghers had entered into a combination at the close of the preceding year, to ef-

fect a democratical revolution in their town government, and for that purpose to augment the number of the council from twenty four to forty persons. The projected measure had long been held in suspense, by the equal balance that seems to have existed of the two parties among the inhabitants of Rotterdam. On the twenty third of April however, the armed burghers compelled the council to depose seven members of their body, and their places were immediately filled up by the election of seven new members. The deputation to the states was consequently changed; and immediately two sets of deputies claimed a seat in the provincial assembly. But the states of Holland resolved, that the contest between the burghers and the deposed magistrates was a municipal transaction, with which they had no right to interfere; and of consequence the deputies of the existing council were exclusively admitted to a seat in the assembly.

The inhabitants of Amsterdam had prepared the way for the meditated change in the character and party of their town council in the beginning of the year 1787. The day of the election of the annual magistrates of the city was the first of February; and the burghers, being resolved to seize upon this opportunity of putting an end to the power of the prince of Orange within their walls, took measures for holding an assembly in the preceding week to concert a plan for that purpose. This meeting was prevented by the agency of the colonels commanding the regiments of burghers, who were secretly favourable to the party of the stadholder. Having been counteracted at that time, the burghers now surrounded the stadthouse on the same

day, as that, which had been chosen by the inhabitants of Rotterdam; and, having entered into negotiation with the council, they effected their purpose, and nine of the magistrates, together with the four colonels, gave in their resignation the same evening. The filling up their seats was a matter of greater deliberation here, than it had been at Rotterdam. It encountered several difficulties, and was not completed till the seventh of the following May. In the mean time an act of qualification was signed by twenty five thousand of the inhabitants, empowering the fifteen delegates of the armed burghers to elect the new magistrates by their own authority, if the council should refuse to concur in the measure. The deputation from Amsterdam to the provincial assembly was immediately changed.

We have now accompanied the reader in a survey of the situation of the seven provinces of the union, immediately previous to the commencement of hostilities. The dissensions of the republic had now risen to so great a height, that those hostilities could not be expected to be much longer suspended. The signal, which immediately led to the extremities that followed, was given by the assembly of Amersfort. They had consented in the month of February to the preliminaries stipulated by the council of Utrecht, as the conditions of their acceding to a mediation. They retracted this consent in the month of April. The citizens of Utrecht were both irritated with this instability, and conscious of superior strength. Foreseeing, as they observed, that the termination of the dissensions of the province was postponed to a very distant period, they came to

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an immediate resolution, to withdraw from the disposal of the states of Amersfort the quota of the citizens of Utrecht to the revenues of the province. The states rejoined to this peremptory measure by a counter resolution, to put in motion the troops of the division of Utrecht, to occupy by force the different posts by which the city was surrounded, to cut off its communication with the province of Holland, and to reduce the rebellious capital to submission by force of arms.

This resolution brought on an immediate crisis. If the forces in the pay of the province of Holland could be brought to act against any force that it was possible for the stadtholder to oppose to them, there was not a doubt that the victory would fall to the patriotic party. But there was a principle of the Dutch constitution, that stood in their way, and upon which the stadtholderians placed considerable reliance. It was contrary to the union of Utrecht, that the troops in the pay of the republic should march upon the territories of any of the provinces, without the consent of the states of that province having been first obtained. If the oligarchy of Holland thought proper to supersede this objection, still it was possible, that the officers in their pay would refuse obedience to so unauthorized a command. It was the business of the friends of the stadtholder to spirit them up to this refusal, and in case of their success they promised themselves the most decisive advantage.

In order to give force to this constitutional question, the states general of the United Provinces, who had hitherto held themselves neutral in the contests of the republic, were instigated to declare

themselves. Conscious that they had no inherent powers, that could enable them to interfere with effect, they had in preceding instances chosen to maintain the dignity of their character in silence; but it was natural to suppose, that there was a situation, which, when it should occur, would call upon them for a decision. Accordingly in the beginning of May they came to a resolution, forbidding all colonels or officers commanding regiments, to march their troops from their present quarters upon the territories of any other province, without the consent of the sovereign of that province; and to obey no orders of a contrary tenor. A reply to this resolution was adopted in the states of Holland on the tenth of the same month, in which they declared, that, by the hostile march of the troops of one province against the inhabitants of another, the bond of the union was to be considered as broken, and every member of the state was called upon to act, in the manner which they might judge most conducive to the welfare of the whole; that therefore it was now necessary to demand of the officers, whether they were ready to obey the provincial states; and that, if they hesitated to explain themselves, it would be proper to suspend them from the service during the present emergency.

The determination of the states of Holland was not adopted, till the moment, in which the occasion occurred that was to call it into practice. An expedition had been determined upon in concert by the states of Amersfort and the court of Nimeguen, to secure the post of Vreeswyk, which is the direct medium of communication between the city of Utrecht and the territories of South Holland, and the

seat of the sluices, by means of which the neighbouring country to a considerable extent can be laid under water. The news of the expedition arrived at Utrecht about noon on the ninth of May. The town council came to an immediate resolution to defend the post by force of arms. The number of volunteers, that offered themselves for this service, was considerable, but a body of between two and three hundred men was deemed to be sufficient. They marched out of Utrecht at half after six o'clock in the evening.

The party of the enemy consisted of seven companies of the regiment of the count d'Effren under the command of their colonel, making together three hundred and fifty men. Of these the count stationed four companies in the fortrefs of Vreeswyk, and three in the neighbouring village of Jutphaas. The detachment of Utrecht proceeded immediately towards the latter; and the first fire proceeded from an ambuscade of the stadtholderians, by which two persons, a captain lieutenant and a private, were killed. The burghers however discovered no confusion, and, having brought up their cannon, in half an hour put to flight the whole body of the enemy. The news of the action arrived at Utrecht about midnight, and a reinforcement of an hundred men immediately marched to join their fellow citizens. The commander of the patriots remained at Jutphaas during the night, and in the morning marched to Vreeswyk, which was abandoned at his approach. He returned to Utrecht in the evening of the tenth of May with about twenty prisoners, escorted by flambeaux, and welcomed with the acclamations of the inhabitants.

The two persons, who were killed in the action of Jutphaas, were interred with great pomp, and the council resolved to erect a monument to their memory, in the very place where the first blood of their citizens was shed in defence of the republican constitution.

The states of Holland immediately gave orders to their troops to enter the territories of the province of Utrecht. They placed a garrison in the two posts, which had been the subject of the late contest, and they marched a detachment to reinforce the capital city. A rencounter took place on the fourteenth between a part of this detachment and a small number of troops in the pay of Guelderland, in which several of the stadtholderians were killed, and only one of the republicans wounded. Meanwhile the assembly of Amersfort declared, that they could not but regard the conduct of the neighbouring province as highly offensive, and were determined to employ every means in their power to repel the aggression. To this the states of Holland returned no other answer, than by a demand of a categorical explanation respecting these menaces in forty eight hours, that they might adopt such means of resistance as should appear eligible. The states of Amersfort also addressed a circular letter to the states of Zealand, Friesland, Overysse and Groningen, calling on them to assist in opposing the unjustifiable attack of the province of Holland.

In this situation the officers in the pay of that province adopted the mode of conduct, which the stadtholderians had desired. A great majority of them refused to obey the orders of the states, and were immediately suspended from their commands, and others nominated

nated to fill up their places. But the gaining of the officers was a small acquisition, unless they could bring with them large parties of the troops under their command. To forward this object, it was thought proper to publish on the twenty sixth of May in the name of the prince of Orange a manifesto, nearly in the style usually employed in a declaration of war. In this paper the stadtholder remarked, that he had long had sufficient reasons to justify him in making declarations, publishing manifestoes, and arranging measures, to counteract the intrigues of that small number of members of the government of Holland, who had made so malignant and unworthy a use of their influence. But his inclination led him to proceedings of mildness and forbearance, and it was not long since, that he had had reason to hope for the most favourable effects from those proceedings. The ablest and most faithful counsellors, the major part of the good burghers, and even the majority of the provincial states, had lately displayed a disposition to restore him to his rights. This disposition had only been counteracted by the most odious extremities, by the interference of compulsion and terror, and by the most manifest infringement of privilege and charters. The proceedings of the states of Holland in marching their troops upon the territories of Utrecht, and in endeavouring to induce the military to violate the most solemn oaths, were represented as still more atrocious. In this situation the stadtholder thought himself obliged, to rescue the public at large from the tyranny of a cabal; to co-operate with the states of Guelderland for the preservation of the general tranquillity; and to protect the

rights of the people and the burghers, by giving them such an influence in the concerns of the towns, as should be compatible with the ancient constitution of the republic.

The chain of events, which this manifesto was intended to influence, was interrupted by a very alarming tumult in the city of Amsterdam. As various addresses had been presented to the states of the province of Holland in favour of the prevailing system, it was attempted to obtain counter addresses in behalf of the stadtholder. In many places these attempts do not seem to have been attended with great success. In the city of Amsterdam they obtained thirty three thousand signatures, a number, greater than that, which attended any of the measures of the democracy, and which can with difficulty be reconciled with the accounts which have reached us from all quarters, of the general unanimity of the inhabitants of Amsterdam in favour of the patriotic party. In the mean time the stadtholderians appear to have been in a manner intoxicated with so extensive a success. The workmen of the admiralty in particular, who was very numerous in the quarter of Cattenburg, had displayed a riotous disposition during the whole progress of the address. On the twenty eighth of May, the period fixed for the close of the signatures, they assembled in numbers before a considerable tavern of this city. They were armed with knives, sabres, pistols, and bludgeons, and employed themselves in patrolling the streets, insulting the passengers, and venting every kind of execration against the opposers of the stadtholder. The next day the same scene was repeated, three persons were wound-

fect a democratical revolution in their town government, and for that purpose to augment the number of the council from twenty four to forty persons. The projected measure had long been held in suspense, by the equal balance that seems to have existed of the two parties among the inhabitants of Rotterdam. On the twenty third of April however, the armed burghers compelled the council to depose seven members of their body, and their places were immediately filled up by the election of seven new members. The deputation to the states was consequently changed; and immediately two sets of deputies claimed a seat in the provincial assembly. But the states of Holland resolved, that the contest between the burghers and the deposed magistrates was a municipal transaction, with which they had no right to interfere; and of consequence the deputies of the existing council were exclusively admitted to a seat in the assembly.

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Meeting of Parliament. Address. Commercial Treaty with France. Debate. Treaty approved by both Houses.

TWO events, that took place subsequent to the conclusion of the third session of the present parliament, came immediately under the notice of that assembly, when they met for their fourth session on the twenty third of January 1787. An attempt had been made on the second of August 1786 to assassinate the king, and, though it does not appear to have been formidable or well conducted, it naturally excited considerable alarm among the loyal inhabitants of this country, and occasioned a great number of addresses to be presented, congratulating his majesty on his fortunate escape. The author of the attempt was a poor woman, by name Margaret Nicholson, who had formerly lived in the capacity of a servant maid, but was now insane. The mode she selected for her undertaking, was that of concealing a knife under a paper, which she held in her hand, and presented to the king in the manner of a petitioner. She was presently disarmed, though not till she had made one thrust at the king's breast; and he is said immediately to have exclaimed, "I am not hurt. Take care of the poor woman; do not hurt her." Upon her examination before the privy council it did not appear that she had any accomplice, and she declared, that the crown of England was her property, and that she wanted nothing but her right. The disorder of her intellects, having been ascertained, she was conducted to the hospital of

Bedlam, to remain there probably for the rest of her life.

The other event was of great intrinsic importance. It was the signing at Versailles on the twenty sixth of September of a treaty of commerce between the courts of England and France, which had been negotiated by Mr. William Eden, envoy extraordinary and minister plenipotentiary of the king of Great Britain, on the one part, and M. Gerard de Rayneval, commissioner and plenipotentiary of the court of Versailles, on the other. This treaty was, at least in appearance, the triumph of liberal sentiments and comprehensive views over ancient animosity and mercantile jealousy. It tended to make two nations, the most civilized and refined in the world, mutually useful to each other, and thus to strike off as it were from the number of probabilities, which might involve them in future acts of hostility and war. Its general principle was to permit the mutual exchange of every species of commodity, except that of warlike stores.

It was about the same time that a considerable addition was made to the English peerage. The earls of Shannon and Tyrone, and lord Delaval of the kingdom of Ireland, were advanced to the rank of barons of Great Britain: the dukes of Queensbury and Athol and the earl of Abercorn from the Scottish peerage, were respectively raised to the dignities of baron Douglas, earl Strange, and viscount Hamilton: and

and sir Harbord Harbord, sir Guy Carleton, and Mr. Charles Jenkinson were created lords Suffield, Dorchester, and Hawkesbury. Lord Hawkesbury was also appointed chancellor of the duchy of Lancaster, and a new committee of privy council for matters of trade and plantations was nominated, of which that nobleman was president; and such persons, holding offices in the kingdom of Ireland, as the king should name privy counsellors of England, were admitted to be members. Lord Dorchester had in the preceding April been appointed governor of Canada, Nova Scotia, and New Brunswick.

The speech from the throne at the commencement of the session observed upon the apparent tranquillity of Europe, and recommended the treaty of commerce to the sanction of parliament. It also referred three specific measures to their approbation: a convention, respecting the cutting of logwood, with the catholic king; a plan, which had been formed for transporting a number of convicts to a part of the island of New Holland, known by the appellation of Botany Bay; and certain regulations for the accommodation of the mercantile part of the kingdom, and for simplifying the public accounts in the various branches of the revenue.

The address which, beside repeating the topics of the speech, congratulated the king upon his recent escape, was moved in the house of lords by the earl of Rochford and lord Dacre; and in the house of commons by viscount Compton, son to the earl of Northampton, and Mr. Matthew Montague; the latter of whom gained some applause for the elegance and spirit of his harangue upon the occasion.

Mr. Fox, who concurred in the address, thought proper at the same time to throw out some animadversions in relation to the commercial treaty. By the gentlemen who moved the address, the uncertainty of war had been contrasted with the blessings of commerce, as if it were supposed, that this country had ever gone to war for the sake of extending her dominion, or of gratifying an inordinate ambition. In the opinion of Mr. Fox the fact was directly the reverse. Through the course of all our late, if not of our earlier wars, as often as we had sent our armies into the field, or covered the ocean with our fleets, our enterprizes had originated in a principle of self-defence, or in the view of sheltering the invaded liberties of surrounding states. Mr. Fox expressed a doubt, whether the treaty was to be considered as having a political tendency, or were to be regarded as merely commercial; and remarked that the present policy of France, while it had the same object in view, was more alarming in its nature than the policy of Louis the Fourteenth. Formerly her engines were oppression and power; engines, which could not fail to rouse a general indignation, and to excite the resistance of every power, that possessed an atom of spirit, generosity, or rectitude.

What was the engine which was at this time employed by France? Influence: that secret and almost irresistible power, with which ambition insured its object, almost without being perceived, but much more effectually than with any other. It ought also to be recollected, that Louis the Sixteenth possessed more power than ever Louis the Fourteenth could boast; and that that superiority, great as it was, would in all probability soon be

be considerably augmented. Mr. Fox enquired, what were the symptoms of the sincerity of France in her present pretended amicable disposition towards us? Had ministers felt the influence of her government operating in our favour with those powers with whom we were negotiating treaties? Did it manifest itself in the court of Lisbon, in the court of Madrid, or in the court of Petersburg? At this time France, who had formerly possessed the most powerful army of any European power, ranked in this respect only as the fourth upon the continent. She had diminished her land force, and was directing all her attention to her marine. Was that a favourable symptom for this country? Mr. Fox added, he might possibly be misrepresented, as a man prepossessed by vulgar and illiberal prejudices. But, be that as it might, he could not easily forget, that those prejudices had been productive of no ill consequences to this country, and that the wars, in which they had engaged us, had contributed more than any other circumstance to make us great and glorious. He compared the conduct of the ministers of the present day to that of the tory administration of queen Anne, who had endeavoured to represent all apprehensions of the inordinate power of France, as no better than a bugbear. The address was carried nemine contradicente.

As one of the principal operations of the French treaty related to the duty upon wines, one of the topics chosen by opposition for the subject of their remarks, consisted in the enquiring, how far the trade with Portugal, and the treaty in which that trade had originated, commonly called the Methuen treaty, were compatible with this new

object. The article of woollens was also a principal object of the Portugal trade, and was likely to be in some way affected by the commercial treaty. It was therefore moved by Mr. Minchin on the twenty ninth of January, and by Mr. Pelham on the second of February, that certain papers should be produced relatively to the Portugal trade, in order to enable the house to judge of the value of this object, and of the way in which it would be affected by the French treaty. The motion of Mr. Minchin, after some debate was withdrawn. The papers moved by Mr. Pelham were, an account of the value of the imports and exports between Great Britain and Portugal from 1703 to 1786; an account of the duties upon beer, malt and malt spirits for the four last years; and a general account of the exports and imports of Great Britain for the years 1784 and 1785. Mr. Pelham also read two other motions, one for a general account of the exports of woollens, and the other for a particular account of our trade with Spain in that article. These were withdrawn at the request of Mr. Pitt, who conceived the disclosure to be pregnant with mischief to this country, and who strongly objected to a principle stated by Mr. Pelham, which had a tendency to bring under the examination of the house treaties, already in negotiation, and not yet concluded. Mr. Pitt at the same time moved for an account of the exports and imports between Great Britain and France from 1714; and an account of French wines imported and consumed, between the fifth of July and the twenty ninth of November 1786.

On Monday the fifth of February it was moved by Mr. Pitt, that
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the house do on that day seven-night resolve itself into a committee, to consider of so much of the speech from the throne, as related to the treaty of navigation and commerce, concluded with the most Christian king. To this motion an amendment was proposed by lord George Cavendish, uncle to the duke of Devonshire, to defer the consideration till that day fortnight, in order to give time for a call of the house. Mr. Fox supported the amendment, and remarked, that, in consequence of the numerous opportunities he had had to observe upon the excessive warmth and precipitance of the disposition of the minister, he felt a slighter degree of astonishment at discovering the violence, with which he now urged the house to the consideration of a most important measure. The measure in contemplation was a system, in which not only the established doctrines of our ancestors were foregone, but the great and essential principles of our commerce, principles, which, whether wise or erroneous, had made us opulent, were completely changed. On the subject of the Irish propositions Mr. Pitt had deprecated delay. He had desired then as now, to hurry on parliament without consideration, without time for enquiring and collecting the opinion of those, who were most competent to judge of the expediency of the measure. Fortunate for the country had been the wise caution of the house in that instance; fortunate for the minister, who had been rescued by the wisdom of parliament from the dangers of his own rashness. He had also brought in a plan for a commercial treaty with America, and that would admit of no possible delay. The house however had taught him the rashness

of the proceeding, and the bill had never since been heard of. On that subject he had been made completely to change his mind, in consequence of the lights which he received by prudent delay. Mr. Fox added, that a convention had been exchanged, and at length ratified, which was in some respects as totally dissimilar from the treaty, as the twenty Irish propositions had been from the original eleven, and the copies of this convention had only been distributed that very day. He could assign no reason for the extreme urgency of the minister, unless he suspected that the people were loud in their praise, more from the novelty of the object, than from a conviction of its merits, and unless he intended to snatch at the seasonable moment of transitory delusion. Mr. Pitt replied to the arguments of Mr. Fox. He maintained, that the charge of precipitation was absurd, since the treaty had already been concluded more than four months, and that the proposed call of the house was unnecessary, as the attendance was at present very full, and as it was not likely that a call would be at all calculated to increase it. He retorted upon Mr. Fox the charge of precipitation in the case of his East India-bill; a measure, which from its novelty filled every thinking mind with terror and alarm; a measure, which, as if conscious of its own malignity, had crept under darkness, and shrunk even from a whisper, till the moment of its public disclosure; a measure, which had stigmatized its abettors with universal odium, and would hand them down to posterity as objects of everlasting reproach. At that time Mr. Fox had refused that delay, which was usual on the most trivial and ordinary occasions; and
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Mr. Pitt had endeavoured by argument, by intreaty, and by deprecation, to restrain his rashness, but without effect.

Mr. Burke expressed himself with some sarcasm respecting the views of the minister in the present measure. The treaty was not to be regarded simply as a commercial treaty. In that view perhaps his opinion did not greatly differ from that of the manufacturers as to its immediate operation. But the treaty was closely connected with the political interests of the country, and must deeply affect them. Mr. Pitt, with that narrowness, which led men of limited minds to look at great objects in a confined point of view, talked of the transaction, as if it were the affair of two little counting-houses, and not of two great countries. He seemed to consider it as a contention between the sign of the Fleur-de-lis, and the sign of the Red-lion, which house should obtain the best custom. Such men, when in power, converted large cities into small villages, while those of a more noble and liberal way of thinking acted on a better scale, and changed small villages into great cities. Mr. Wilberforce lamented over the speech of Mr. Burke. He had heard him in his better days. His eloquence had then arrested his attention, and his powers of imagination had charmed him. But he was now sorry to find his faculties so far diverted from the prosecution of those great objects, which they were naturally formed to embrace. Mr. Pitt expostulated with the last speaker on the unnecessary pains he had taken, to obviate the mode of animadversion, chosen by Mr. Burke. In abuse and personality to contend with such an opponent, was very far beyond his powers,

and much more beyond his wishes. When he met with a man, whose conduct had produced an unfortunate change in his character, and whose ill temper and spleen were proportioned to the disappointments he experienced, and the odium which surrounded him, however such a man might be inclined, by abuse and malevolence to reduce other characters to a level with the wretchedness of his own, though his situation might have a claim upon his compassion, that sentiment must naturally be blunted with a portion of disgust. Mr. Burke replied, that the contempt, of which Mr. Pitt had made him a present, was not entitled to much of his gratitude, as it was an article in which he so copiously abounded. But, as the stock of his compassion was undoubtedly small, any donation from a fund so trifling, and of which there was so little to spare, as it had the greater merit, would be the more thankfully received. The house divided upon the motion of Mr. Pitt, ayes 213, noes 89.

On the Friday following it was moved by Mr. Fox, that there should be laid before the house copies or extracts, of the instructions that had been given to his majesty's ministers in Portugal since the first of May 1782, respecting the complaints of the British merchants, and of the answers of the court of Portugal to the representations which had been made. It was in his opinion necessary, that we should consider, previously to our coming to any decision upon the commercial treaty, whether we had taken care to secure our connexion with an old and valuable customer; or, in case we had not, whether the advantage would be equivalent, that we should acquire by putting
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ourselves exclusively into the hands of France, both as a customer, and—not an ally, for that she certainly could not be called,—but as a new political friend. Mr. Fox observed, that the difficulty, which had been created by the court of Lisbon respecting Irish woollens, was narrow and impolitic; and that on our part we ought to act with the liberality we demanded, and rather grant to Portugal more than she could claim by treaty than less. He added, that, if the treaty with France were sanctioned without our first knowing what was to be done with Portugal, we might eventually give France an advantage, for which we had not the prospect of an equivalent. If Portugal, through sinister influence, or her own perverseness, should refuse to form any treaty with us, in that case we certainly should not lower the duty on Portugal wines. Thus France would be in the condition of a person purchasing an estate with a mine upon it, without having paid for the mine. Mr. Fox mentioned, as another inconvenience, that the treaty was calculated to prevent us from lowering the duty upon Spanish wines; but this Mr. Pitt declared not to be the true construction of the article. Sir Grey Cooper, who seconded the motion, placed the advantages of the Methuen treaty in the strongest light, and observed that the balance of the Portugal trade was now stated to be more than 500,000*l.* *per annum* in our favour, and that since the treaty this nation had received between forty and fifty millions on the balance in this branch of our commerce. Mr. Beaufoy asserted, that the first question, that arose upon the face of the treaty, was not, shall we establish a new and untried commerce with France? but, shall

the commerce, that already exists between the two kingdoms, give employment to the vessels of the smuggler, or to those of the fair and respectable merchant? Shall the trade be carried on inconveniently and circuitously by the way of Austrian Flanders and of Dunkirk, or shall it be carried on with every commercial advantage directly to the ports of France? Shall the manufactures of this country be objects of confiscation or protection to the French laws? Mr. Pitt replied to the arguments of Mr. Fox. He said, that, in discussing the French treaty, we were only to consider the provisions actually contained in it, and the advantages provided by it in favour of each country. Were we to suspend every treaty of commerce, till we should be able to ascertain the possible effect of every future arrangement with other countries, such treaties could never be concluded. Beside, it was not to be supposed, that we should act so as to throw any considerable advantage into the scale of France, without a fresh stipulation for some adequate equivalent for ourselves. The motion was rejected without a division.

On the day appointed for taking the treaty into consideration, a petition was presented by Mr. alderman Newnham from the chamber of manufactures and commerce of the kingdom of Great Britain, stating their sense of the serious and awful importance of the treaty, and that, after the most careful investigation, they had not been able to form any certain judgment upon the subject. They therefore deprecated the houses, coming to a decisive vote upon that day; and concluded with an allusion to the providential effects, which were u-

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niverſally allowed to have reſulted from the delay, which had been introduced by the mercantile intereſt into the diſcuſſion of the Iriſh propoſitions. This petition not appearing to be of ſufficient weight to cauſe the diſcuſſion of the treaty to be deferred, Mr. Pitt explained to the houſe his idea of the benefits that would reſult from this tranſaction.

He introduced his remarks with a reference to another tranſaction, which had been mentioned, and coupled with this, he muſt ſay, in a very ſingular manner, he meant the Iriſh propoſitions. He felt himſelf juſtified in declaring, that the alluſion in queſtion made wholly in favour of his arguments, and againſt thoſe of his opponents. While the propoſitions were in agitation, the manuſactuſers of the kingdom had ſhown, that they poſſeſſed the moſt unremitting vigilance in watching over their intereſts, and at leaſt a ſufficient degree of firmneſs in maintaining their objections. There was not a body that thought itſelf concerned, that did not inſtantly take the alarm, and join in the general remonſtrances. Was it not fair then to conclude, that, if any ſuch apprehenſions now exiſted, inſtead of ſupineness and negligence, they would again have applied to parliament with redoubled earneſtneſs; and might he not ſuppoſe, that ſo recent a tranſaction muſt have tended to keep their attention alive, and their jealousies awake?

With reſpect to the commercial part of the treaty, which was the only object immediately under conſideration, it would be neceſſary for the committee to have regard to the relative ſtate of the two kingdoms. At firſt ſight it appeared, that France had the advantage in

the gifts of ſoil and climate, and in the amount of her natural produce; while Great Britain was on her part confeſſedly ſuperior in her manufactures and artificial productions. This was their relative condition; and was the precise ground, on which he imagined that a valuable correſpondence and connection might be eſtabliſhed. Having each its own diſtinct ſtaple, having each that which the other wanted, and not claiſhing in the great outline of their reſpective riches; they were like two great traders in different branches, and might enter into a traffic mutually beneficial. Granting that a large quantity of their natural produce would be brought into this country, would any man ſay, that we ſhould not ſend out more of our cottons by the direct courſe now ſettled; than by the circuitous paſſages formerly uſed, and more of our woollens, than while reſtrained to particular ports, and burthened with heavy duties? Would not more of our earthen ware and other articles, which under every diſadvantage had been able, from their intrinsic ſuperiority, to force their way into France, now be ſent thither; and would not the aggregate of our manufactures be evidently benefited in going to this market, burthened only with duties from twelve to ten, and in one inſtance with only five per cent.? A market of many millions of people, a market ſo near and prompt, a market of expeditious and certain return, of neceſſary and extenſive conſumption, thus added to the manufactures and commerce of Britain, was an object which we ought to conſider with eager and ſatiſfied ambition. To procure it we certainly ought not to heſitate to give liberal conditions. It was an exhilarating ſpeculation to the
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minds of Englishmen, that, after the empire had been engaged in a competition the most arduous and imminent that ever threatened the nation, after France in particular had exerted every nerve for her depression, finding she could not shake her, she now opened her arms, and offered a beneficial connection on easy, liberal, and advantageous terms.

We had agreed by this treaty to take from France on small duties the luxuries of her soil, which however the refinements of this country had converted into necessities. The wines of France with all their high duties, already found their way to our tables; and was it then a serious injury to admit them on easier terms? The admission of them would not supplant the wines of Portugal or of Spain, but only a useless and pernicious manufacture in our own country. The import of French wines had lately experienced an enormous increase, as appeared from the instances of July and August, the two most unlikely months of the year. The next article was brandy; and it was sufficiently evident that the diminution of duty with respect to it was an eligible measure. The reduction would have a material effect on the contraband trade, since the legal importation of brandy was no more than six hundred thousand gallons, and the smuggled by the most rational estimate amounted to four millions. Seeing then that this article had taken such complete possession of the taste of the nation, it might be right to procure from it a greater advantage to the state, and to crush the illicit trade by legalizing the market. Similar observations suggested themselves respecting the oil and vinegar of

France, which were comparatively objects of trifling consideration.

The next enquiry should be to see if France had any manufactures, peculiar to herself, or in which she so greatly excelled us, as to give us alarm upon that account. Cambric, which first suggested itself, was an article, in which our competition with France had ceased, and there was no injury in granting an easy importation to that, which we would have at any rate. In no other article was there any thing very formidable in the rivalry of France. Glass would not be imported to any amount. In particular kinds of lace indeed they might have the advantage, but none which they would not enjoy independently of the treaty; and the clamours about millinery were vague and unmeaning. When in addition to all these benefits, we considered the richness of the country with which we were to trade, its superior population of twenty-four millions to eight, and of course a proportional consumption, together with its vicinity to us, who could hesitate for a moment to applaud the system, and look forward with ardour and impatience to its speedy ratification? The possession of so safe and extensive a market must improve our commerce, while the duties, transferred from the hands of smugglers to their proper channel, would benefit our revenue, the two sources of British opulence and British power.

Mr. Pitt proceeded to the consideration of the several objections which had been urged against the measure. The excellence of our manufactures was unrivalled; but it was said, that the manufacturers trembled for the continuance of this superiority. They were alarmed

at the idea of a competition with Ireland; and consequently they must be under greater apprehension at the idea of a rivalry with France. Mr. Pitt had always thought, and he still continued to think, that the opinions of the manufacturers on this point had been erroneous. They raised the clamour in respect to Ireland, chiefly, he imagined, because they perceived no certain and positive advantage in the intercourse, to balance this precarious and uncertain evil. To the commercial treaty they gave their consent, not from a blind acquiescence, for they never would be blind to their interest; but, now that they saw so valuable and manifest an advantage to be reaped, they were willing to hazard the probability of the injury. A second objection had been, that the treaty might injuriously affect our commercial treaties with other powers. In answer to this he must positively affirm, that there was nothing in it that prevented our fullest compliance with the conditions of the Methuen treaty. By enlarging our market for wine we neither infringed upon the markets of Portugal nor of Spain. It was not pretended, that the treaty could affect our connection with any other powers. Farther it had been objected, that no beneficial treaty could be formed between this country and France, because no such treaty ever had been formed, and because on the contrary a commercial intercourse with her had always been injurious to England. This reasoning was completely fallacious. For, in the first place, during a long series of years we had had no commercial connection with France, and could not therefore form a rational estimate of its merits: and, secondly, though it

might be true, that a commercial intercourse founded on the treaty of Utrecht would have been injurious, it did not follow that this would prove so. At that time the manufactures in which we now excelled had hardly existence, but were on the side of France, instead of being against her. Mr. Pitt felt it difficult to quit this part of his subject, without again adverting to the effect of the treaty on our revenue, which would prove in the utmost degree favourable, though it would cause an average reduction of fifty per cent. upon every article in our book of rates. On French wines the reduction would be 10,000 l. per annum; on Portugal wines, should the Methuen treaty be continued, 170,000 l. and on brandy a reduction of 20,000 l. The surrender of revenue for great commercial purposes was a policy by no means unknown in the history of Britain; and was in this case attended with the most extraordinary advantages.

Mr. Pitt now adverted to the report of the general chamber of manufactures. They had enquired, what laws must be repealed to make room for the French treaty; and the enumeration which they had made was singular. They had discovered, that the aliens duty must be repealed. They had referred to statutes of Edward the Fourth, of Richard the Third, and Henry the Eighth, respecting which he believed that a well founded opinion prevailed in the learned profession, that they were in fact no longer in existence. If it were not so, he was confident that the leaders of opposition, whose liberal principles he would always acknowledge, would not become advocates for the continuance of these odious penal statutes. That a set of manufacturers should

should neglect to consider the application of the treaty to themselves, while they wandered into the paths of legislation and government, did not look like that apprehension for their real interests, which they betrayed at the time of the Irish propositions.

Mr. Pitt proceeded to consider the treaty in its political view; and here his mind revolted from the supposition, that any nation could be unalterably the enemy of another. It had no foundation in the experience of nations or the history of men. It was a libel on the constitution of political societies, and supposed the existence of diabolical malice in our original frame. But this absurd tenet was now adopted; and it was added, that by this treaty the British nation was about blindly to throw itself into the arms of its constant and uniform foe. What ground was there for this reasoning? Would the treaty deprive us of our natural watchfulness or our accustomed strength? On the contrary, as it would enrich the nation, it would also prove the means of enabling her to combat her enemy with more effect, when the day of hostility should come. It did more than this. By promoting habits of friendly intercourse and mutual benefit, while it invigorated the resources of Britain, it made it less likely, that she should have occasion to call forth those resources. That we should be taken unprepared for war was a matter totally distinct from this treaty. It depended in no degree upon that circumstance, but simply upon the watchfulness and ability of the existing administration. Mr. Pitt acknowledged, that France had been the aggressor in most of our wars; but added, that her assurances and frankness during the pre-

sent negotiation were such, as in his opinion entitled her to some confidence. When he recollected the whole of the late dreadful war, he could deduce arguments from it, to reconcile the present conduct of France with more equitable and candid principles of policy, than opposition was willing to allow. When she perceived, that in that arduous contest, in which it might truly be said that we were struggling for our existence, we not only saved our honour, but manifested the solid, he might almost be tempted to say, the inexhaustible resources of the land; reflecting, that, though she had gained her object in dismembering our empire, she had done it at an expence which had sunk her in the extremest embarrassment, might it not be believed, that she would eagerly wish to try the benefits of an amicable connection with us? It was ridiculous to imagine, that the French would consent to yield advantages without the idea of a return. The treaty would be a benefit to them; but he did not hesitate to deliver his firm opinion, in the eyes of France, and during the pendency of the business, that, though advantageous to her, it would be more so to us. She gained for her wines and her other productions a great and opulent market; we did the same to a much greater degree. She procured a market of eight millions of people; we a market of twenty-four millions. France gained this market for her produce, which employed few hands in the preparation, gave little encouragement to navigation, and afforded little to the state. We gained this market for our manufactures, which employed many hundred thousand of our countrymen; which, in collecting the materials from every corner of the world, ad-

vanced our maritime strength, and in every article and stage of its progress contributed largely to the state. France could not gain the accession of 100,000 l. to her revenue; England must necessarily gain 1,000,000 l. The high price of labour in England arose chiefly from the excise; and three fifths of the price of labour were said to come into the exchequer. Even the reduced duties were proportionably so high, that France could not send us 500,000 l. value of brandies, but we must gain cent per cent by the article. It was in the nature and essence of an agreement between a manufacturing country, and a country blessed with peculiar productions, that the advantages must terminate in favour of the former. But both of them were particularly disposed and prepared for the connection. France by the peculiar dispensation of providence was gifted, perhaps more than any other country upon earth, with what made life desirable, in point of soil, climate, and natural productions; in the most fertile vineyards and the richest harvests. Britain was not thus blessed by nature; but, possessing the happy freedom of its constitution, and the equal security of its laws, it had risen to a state of commercial grandeur, and acquired the ability of supplying its neighbour with the requisite embellishments of life, in exchange for her natural luxuries.

The persons who principally undertook to answer the arguments of Mr. Pitt, were Mr. Fox and Mr. Francis; and, though the speech of Mr. Fox was unquestionably most replete with forcible argument, with an intimate knowledge of his subject, and with brilliant flashes of eloquence, yet are we reduced to the necessity, as it

frequently happens to the historian¹ of dwelling chiefly upon the arguments of Mr. Francis, because that gentleman was at the pains of preserving his very able and judicious harangue through the medium of the press. He discussed the merits of the treaty with France under four heads; as it related to commerce, to revenue, to the naval and the political interests of this country.

What he saw upon the face of the treaty was dangerous and destructive to its professed object; but its real and intallible tendency struck him with the highest suspicion, jealousy and terror. The favourite argument in favour of an open trade with France was founded on a general presumption, that our manufacturers possessed a greater skill in the execution and finishing of whatever they undertook; as if there were something in the nature of our Gallic neighbours, some difficulty inherent in their climate or constitution, which rendered them incapable of arriving at a similar skill. The examples, which had been insisted on, of our woollen and cotton manufactures, appeared to Mr. Francis to be unfortunately selected. France was in possession of the Spanish wool, could import it on terms infinitely easier than we could, and might by her influence exclude us from any share of it, whenever she saw fit. In fact the French had improved their manufacture of cloth to such a perfection, that they had beaten our Turkey company out of the market which we formerly had in the Levant for that article, and had engrossed it to themselves. The proposition therefore, which affirmed, that we should find a market in France itself, greater than that of Portugal and all her colonies,

nier, was not only unsupported by proof, but was absolutely absurd.

With respect to the contraband trade, which the treaty professed to annihilate, it in reality effected the very reverse. It abolished the hovering act, hitherto understood to be the principal defence of the revenue, and security to the fair trader. French vessels of any size or construction might now approach and sail along our coast at any distance they thought proper, and remain as long as they pleased. As the law stood at present, on a discovery of any contraband goods, the ship and cargo were forfeited; but by this treaty nothing, but the specific article prohibited, was liable to confiscation. As to the mere exportation and sale of our manufactures, considered by itself, and abstractedly from the protection due to the fair trader, and the care of the revenue, it was nearly the same thing to any country, whether the exportation were performed by lawful or unlawful means. The amount of the goods now smuggled, was to be set against the future exportation, and our real gain consisted only in the difference between them. The improvement of the revenue by the suppression of smuggling was an object of great utility. But here Mr. Francis saw cause for suspicion and distrust, whether the intention to pursue that object was sincere. The observations of Mr. Pitt on the subject of cambrics were well founded; but why was the operation of so just a principle to be confined to cambric? For what reason was the prohibition of French laces continued? A reason had been suggested for this inconsistent conduct, in the partiality of the minister to the manufacturers of Buckinghamshire. At first sight this might appear a

well meant, though ineffectual, endeavour, to favour the English manufacture; but the case was directly the reverse; and Mr. Francis was well informed, that above two thirds of the laces sold for the manufacture of Buckinghamshire were in reality French, smuggled by the English manufacturer, rolled upon English cards, and sold by them as the produce of their own labour. With respect to the revenue in general there was a singular contrast between the language and the proceedings of the chancellor of the exchequer. He declared, that the finances of the country were in a most flourishing condition, and that there was a real, effective, and unquestionable surplus to the amount of a million per annum. From what cause could a state of facts, so extraordinary, and so full of consolation and encouragement to this country, be supposed to arise? It could proceed from nothing, but that long established, wise and successful system of commerce, which the present treaty with France was intended to subvert. We acknowledged and insisted upon the benefits and profits of a commercial system, at the very moment when we were going to abandon it.

With respect to the naval part of the question it was to be considered, that the certain effect, if not the acknowledged principle of the treaty, was to substitute a very near commercial market in the place of a remote one; or at least to prefer the former to the latter. Now what was the immediate operation of such a substitution? A commercial intercourse with France would be carried on by short trips, and by seamen, perhaps even by landmen, who neither wanted much experience, nor could possibly gain any

in such a navigation. The whole of it would be performed by skippers, smugglers, and packet-boats, and just as easily by the French as the English.

With a view to the general policy of the treaty the measure was alarming indeed. If every other objection to it on every other ground were answered or abandoned, its obvious political tendency would be sufficient to condemn it in the mind of every man, who was anxious for the honour, the virtue, and the freedom of Great Britain. To illustrate this point Mr. Francis alluded to an incident in his own life. He had early had the good fortune to hold a place, inconsiderable indeed, but immediately under the late earl of Chatham, who had honoured him with repeated marks of his favour and protection. In the year 1760 Mr. secretary Pitt recommended it to the late king, to send the earl of Kinnoul ambassador extraordinary and plenipotentiary to the court of Lisbon; and the same recommendation engaged that nobleman to appoint Mr. Francis his secretary. The real, though not the ostensible object of this embassy, was the discussion of various infractions of treaty, and sundry grievances to which our merchants residing in that country were exposed. While this negotiation was depending, the marquis de Pombal surprised lord Kinnoul by a declaration, that, from various appearances, he was convinced, that the court of France had determined to come to an open rupture with Portugal, and a request, upon the supposition of that event, to know whether they might depend upon the vigorous support of his Britannic majesty. In this case Mr. secretary Pitt disdained to suffer any commercial complaint, any

grievance or momentary interest to be mixed with a question of policy, and instantly forwarded a declaration, "that the king would always consider the defence of Portugal, as an object dear to the honour and welfare of his crown, and the first in rank immediately after the dominions of Great Britain herself." One would have thought, that, if the minister of the day knew nothing of the true policy, or however he might despise the ancient maxims of his country, he would at least have respected the example, though he had not been instructed by the lessons of paternal authority. But we were grown wiser than our venerable ancestors, and the wisdom of the son was now to correct the errors of his father's age and experience.

One of the oldest maxims in our language asserted, that evil communication corrupted good manners. Mr. Francis conceived, that this maxim might be beneficially applied to the point in question; and it was his deliberate conviction, that the nearer the two nations were drawn into contact, and the more successfully they were invited to mingle with each other, in the same proportion the remaining morals, principles, and vigour of the English national mind would be enervated and corrupted. We should be civilized out of our virtue, and polished out of our character. He, whose ultimate purpose was to enslave a free people, always began by endeavouring to corrupt them; and, whether such were the design of the present administration or not, the road they followed could lead to no other object.

It was said that the French and the English were not natural enemies; and Mr. Francis admitted, that

that there was not any natural antipathy between them. On the contrary, no people agreed better in private life. It was their relative position, their vicinity to each other, that furnished a perpetual source of disputes, that made them rivals in peace, as well as enemies in war. Nations, which bordered on each other, could never thoroughly agree, for this single reason, that they were neighbours. All history and experience assured us of the fact. As to an alliance or intimate union between the cabinets of a despotic and a limited monarchy, it was not antipathy; it was not prejudice; it was the policy, it was the wisdom, it was the experience of England, which ever had and for ever ought to deter us from accepting it. Such to this day had been the true principle of English councils. But the pomp of modern eloquence was employed to blast the triumphs of lord Chatham's administration. The polemical laurels of the father must yield to the pacific myrtles which shadow the forehead of the son. The first and most prominent feature in the political character of lord Chatham was antigallican. His glory was founded on the resistance he made to the united power of the house of Bourbon. The present minister had taken the opposite road to fame; and France, the object of every hostile principle in the policy of lord Chatham, was the gens amicissima of his son.

The arguments of Mr. Fox coincided in many respects with those of Mr. Francis. France, he maintained, was the inveterate and unalterable enemy of Great Britain. No ties of affection or mutual interest could possibly eradicate what was so deeply rooted in her constitution. Was not her whole con-

duct towards this country an unwearied and systematical series of measures, distinguished either by their sinister intrigue or their declared hostility? He did not mean, that this enmity rose from any vindictive principles; the incessant object of her ambition was universal monarchy, and it was from us that she feared to be traversed in her pursuit. From us alone did the other powers of Europe hope for protection, to maintain that balance of power, which could preserve their respective liberties from her encroachments. The sense of this country was very clearly displayed in the business of the commercial connection, which was attempted with France in 1713. The administration of that day possessed the entire confidence, reverence and affection of the people and the parliament. By their influence they had stopped the career of our conquests, and degraded and dishonoured the man, (the duke of Marlborough) who had advanced the character of this country to the highest elevation. But, though able to accomplish every thing else, they had been defeated in this attempt, and parliament had wisely and generously subverted a plan, which, had it been adopted, would have ruined the prosperity of this country, and probably destroyed the liberties of every country in Europe.

Much had been said upon the subject of reciprocity; and Mr. Fox had carefully perused the treaty, in order to find the equivalent we had gained, in return for the great advantage we had conceded to France, in reducing the duties upon her wines. But he could find no such equivalent. An appeal had been made to our wool-
len and our cotton manufactures: but

but was it considered, that the raw materials of those manufactures were not produced at home, and that we might be deprived of them by the influence of France? In the former the mixture of Spanish wool was essential; and one half of our cotton wool was imported from France, from Portugal and from the Brasils. Part therefore was wholly in the power of our new ally, and the remainder was brought into imminent peril by our desertion of the Methuen treaty. The subject of the Spanish wool was made by so much the more critical, by the situation in which the family compact was placed by the present treaty. By that compact it had been agreed, that no Englishman should have the same privilege in France or Spain, as a native of either of those countries in the dominions of the other. This disadvantage was controlled by the peace of Paris in 1763; and the provision of 1763 was again confirmed in the peace of 1763. But by the present treaty this wise precaution had been given up, and the family compact was restored to all its vigour.

Mr. Fox ridiculed the arguments of Mr. Pitt respecting the contraband trade. The duties on brandies made their importation to the merchant amount to seven shillings and sixpence per gallon, that is, to four hundred per cent. Would it be pretended, that, when the duties on brandies were four hundred per cent. on the first cost, they would not be smuggled into the kingdom in as great a proportion as formerly? But granting it were otherwise, Mr. Pitt had calculated very falsely respecting the pretended advantages to the revenue. Six hundred thousand gallons he had said was the estimate of the bran-

dies annually imported into this kingdom, and entered at the custom-house. But he had forgotten to add, that of this quantity one hundred and sixty thousand gallons only were imported from France. The rest were brought over from Spain and other countries, and consequently lowering the duties upon what were imported from France could not increase the revenue.

Mr. Fox resumed once again upon this occasion, to the situation in which we should be placed by this measure with respect to Portugal. Of our renewing the Methuen treaty he had not the least expectation. We had not referred to ourselves the only power, which would give us any pretence to ask it with confidence. Portugal would not be inclined to give us a benefit, in exchange for a bonus we were not at liberty to bestow. What gave a pretence to treaty was to have it in your power to offer to one, what, if rejected, you might with advantage offer to another. But, though we had reserved by treaty a discretion to reduce her wines one third below those of France, yet, as we had no means of giving this advantage to another should she refuse it, she could have no reason to accept a proposition tending so much to her disadvantage. Mr. Fox concluded with moving, that the chairman leave the chair, report progress, and ask leave to sit again.

Mr. Flood argued at considerable length against the treaty, and was astonished, that that jealous policy which had influenced the British nation in the business of Ireland, should be given up, when the question respected, not our allies and our fellow subjects, but a country with which we had been engaged

In perpetual hostilities. He argued the impolicy of being greatly anxious about a foreign market, and making considerable sacrifices to obtain it, when it appeared from the average of our exportation of corn, that, notwithstanding the bounties given for its encouragement, it bore only the proportion of one to thirty-two, when compared with our home consumption. He added, that the calculations of our annual exports had been from eighty-eight to ninety millions per annum. If these exports bore the same proportion to what the home market required, nay, admitting that we consumed only ten, instead of thirty times as much as we exported, what an astonishing resource of trade did we possess within ourselves? Mr. Wilberforce replied to Mr. Flood. He endeavoured to distinguish between the case of the Irish propositions and the commercial treaty, by remarking, that the great apprehension in the former case had been, that Irish manufacturers would be set to work with English capitals. In the present instance there could be no such ground of apprehension; since, beside the reluctance that every Englishman would feel to the living under a despotic government, would they be likely to erect expensive works and construct expensive machines, when the treaty was made only for the term of twelve years? Indeed the shortness of its duration was a complete answer to half the arguments that had been urged against it. For that term manufactures would be found as permanent and durable an article of supply, as produce. Mr. Wilberforce expatiated on the advantages that would result from the intended prohibition of French silks, and argued, that this was of all others the proper time for concluding such

a treaty, when the French were otherwise inclined to shut out our manufactures, and set up for themselves. The treaty was farther defended by Mr. Dundas and Mr. William Grenville, and was attacked by Mr. Sheridan, Mr. Powys, Mr. Hussey, and Mr. alderman Watson. At length the committee divided upon the question, that the chairman should leave the chair, and the numbers appeared, ayes 118, noes 251; and Mr. Pitt's first general resolution was then carried upon a division.

The second resolution, for lowering the duties upon French wines, was voted on Thursday the fifteenth of February, and on Friday it was moved by Mr. Fox, that the committee for considering the commercial treaty be instructed, in the first place to consider of reducing the duties on wines imported from Portugal, so that they may pay no more than two thirds of the duties to be imposed on wines to be imported from France. In support of his motion Mr. Fox remarked, that, if it were not adopted, we should in fact incur an immediate violation of the Methuen treaty; and he asked, whether, if, during the present negotiation, the queen of Portugal were to publish an edict prohibiting the importation of our woollens into her dominions, this country would think itself handsomely treated, or would conceive that the ground were smoothed for completing an adjustment? It was true, that it probably was not intended, that the reduction upon French wine should be carried into execution, till a proportionable reduction had been made upon the wines of Portugal. But it was not less true, that, during the interval, the spirit of the Methuen treaty was violated, and that, if the court
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of Lisbon should construe this step into such a derogation from the treaty as justified her in prohibiting the woollens of Great Britain, there was an end to a connection, which had been found so extremely beneficial, and all negotiation about redress of grievances fell to the ground and would be extinguished of course. The motion was seconded by sir Grey Cooper, and supported by Mr. Sheridan, but was resisted by Mr. Pitt, as an unconstitutional interference on the part of the house with an existing negotiation. It was rejected without a division.

Upon the next resolution, referring to brandies, a short altercation occurred between Mr. Pitt and Mr. Sheridan, in consequence of the latter having observed, that the minister at length, and for the first time, confessed, that his boasted commutation act had failed him; since a principal ground of his assurance respecting the success of that measure consisted in its entirely putting an end to the smuggling of brandies, and since, if the success of the measure had been expected to extend no farther than to the mere preventing the smuggling of teas, the scheme would have universally passed for a very weak one. Mr. Pitt repelled what he stated to be the misrepresentation of Mr. Sheridan, and was in doubt which he ought principally to admire, the confidence or the ignorance of that gentleman's assertions. Mr. Sheridan replied, that, if he had entertained the smallest doubt of the accuracy of his recollection before, he was now convinced he had been perfectly correct, from the minister's being so very angry. He reprehended Mr. Pitt for the indecent warmth of his expressions, and observed how injudicious it was to a-

dopt them, as they laid him open to so easy a retort.

Upon the report of the resolutions from the committee on Monday, some conversation passed relatively to the situation of Ireland, and Mr. Flood remarked upon the extraordinary consequences of the commercial treaty, which would intitle France to commercial privileges and advantages in Great Britain, which were not possessed by Ireland, and would entitle Ireland to greater privileges and advantages in France than she could obtain in Great Britain. Mr. Grenville replied, that Great Britain had two years before made a liberal offer to Ireland, which the parliament of that mistle and insatuated people had been persuaded to refuse. He would therefore never admit the doctrine, that Great Britain had no right to negotiate and conclude a commercial treaty with France, without considering herself as dependent upon Ireland, and previously consulting her upon the subject. In the course of the discussion it was asserted by Mr. Sheridan and denied by Mr. Pitt, that the operation of the hovering act as a check upon the contraband trade, was suspended by the treaty; and it was denied by Mr. Pitt and Mr. Grenville, in answer to Mr. Francis, that the prohibition upon French laces was continued.

On the Wednesday following Mr. Blackburne, member for Lancashire, and captain Berkeley of the navy, member for the county of Gloucester, moved, that an address be presented to the king, signifying that the commons had taken into their serious consideration the provisions contained in the treaty, and declaring their approbation of its contents. These gentlemen were selected upon this occasion, as being

ing the representatives of two great manufacturing countries, the most nearly interested in the operation of the measure. Each of them read certain papers as a part of their speeches, testifying the approbation of the cotton and woollen manufacturers, and containing in the former case, an oblique censure of the chamber of commerce, and a declaration that no person had been appointed by them as a delegate to the chamber. It was observed by captain Berkeley, that his opinion, founded on the sentiments of our own manufacturers, was confirmed by the open disapprobation of the manufacturers of the town of Rouen and Abbeville, two of the greatest woollen manufacturing towns in all France.

Mr. Grey, son to lieutenant-general sir Charles Grey, and nephew and heir to sir Henry Grey baronet, was the first in the course of this day's debate to declare his disapprobation of the treaty. He insisted particularly on the comparative situation of this country and France with respect to the trade of America. In his opinion this was a favourite, he believed he might say, the principal object of the court of France in the negociation of this treaty; and it had already been attended with the most flattering success. To prove this, Mr. Grey read a letter of the twenty-second of October 1786 from M. de Calonne to Mr. Jefferson, the minister plenipotentiary of the United States; which, he observed, was nothing but a long string of concessions on the part of France, without the stipulation of a single article of reciprocity from America in return. The internal duties upon her oils were taken off, in a manner that was indulged to no European nation, and she was allowed

to purchase arms, ammunition, and warlike stores. Did France really expect no equivalent? Yes, she expected an equivalent, in a monopoly of that trade, which we once enjoyed, and which had supplied us with two thirds of our commercial marine; she expected an equivalent, in the augmentation of her own navy, and the ruin of that of Great Britain. Mr. Grey asked, what it was, that prevented us from forming such a connection with America, as would, at least, give us a share in the advantages of her commerce? Was it, that it would be inconsistent with the political interests of this kingdom? On the contrary, there was no connection, that could be devised, so eligible for Great Britain, or so consistent with the views of true political wisdom. Was it, that America was averse to any treaty with this country? He had the best reasons for believing, that she was both willing and eager to enter into negociation with us on fair and equitable terms. Here then was a glorious instance of the pacific disposition of the court of France. She negociated with us a treaty, a tempting treaty it had been called, by which she cut us off from the rest of Europe, precluded the possibility of our fortifying ourselves by new alliances, obtained an absolute ratification of the family compact, and laid the foundation of her future greatness in an exclusive trade with America. He trusted, the house would no longer be blind to every thing they had read and seen and felt of French perfidy, to all which the experience of past times had taught us, to all which our sufferings at that moment demonstrated. Mr. Grey concluded with hoping, that he should not be suspected of opposing the address
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from any want of personal attachment or respect for the sovereign; he should always be one of the first and the most eager to approach the throne with sentiments of loyalty. The minister, he hoped, would not imagine, that he acted from any personal prejudice against him or any party view. He believed the good of the country was what Mr. Pitt had most at heart, and he trusted, that he would render him the same justice, by believing that his conduct in this instance was not influenced by any sinister motive.

Mr. Burke observed, that he had heard nothing, for some time past but panegyrics on the French, while our tongues were let loose in the foulest asperity against other states. Ireland was an infatuated island; Portugal an unnatural, a base, a worthless, and an ungrateful nation. And what was the topic we had chosen for our panegyric? Did we commend the French for their gallantry, their valour, their ingenuity, their power, their opulence, their policy, or their wit? No: we praised them for their sincerity, their moderation, their truth, their kindness and good-will to this country. He did not however wish to be understood, that we were giving up our manufactures to the French. On that head he entertained no jealousy, nor did he conceive that France could, for a considerable time at least, rival us in our commodities. Our capital gave us a superiority, which enabled us to set all their efforts to cope with us at defiance. The powers of capital were irresistible in trade; it domineered, it ruled, it even tyrannised in the market; it enticed the strong, and controlled the weak. This capital was supported by the universal partnership, in which our funds and the nature of our esta-

blishments kept the property of this country. It was only by the exclusion of France, that this general partnership could be maintained. The moment the prohibitions were taken off, she would begin to insinuate herself into the partnership, and in the end come in for a share of the capital. In this we had reason to admire the depth of the designs of France. She was ready to submit to a temporary loss in trade, resulting from the superiority of our manufactures, for the sake of a permanent future advantage. Her conduct was similar towards America. America could make no return at present for the bounties and free ports so liberally granted her. She was unable to pay the debts she had contracted to the French merchants and the government. Mr. Burke appealed to some recent incidents in proof of the insincerity of the court of Versailles. It was not without astonishment, that he considered the operations now carrying on at Cherbourg, operations that exceeded the pyramids of Egypt as much, as wisdom and policy were superior to idle vanity and unprofitable ostentation. While this millstone was hanging over our heads, we talked of an union with France. Equally insidious were her designs in endeavouring to make a treaty with Portugal to secure to herself the monopoly of the Brasil cottons. In a word, our manufacturers might exult on the temporary advantage they would derive from French avidity, but, if, at the expiration of the treaty, France should suddenly rise into a great commercial and naval power, the advantage would appear to have been purchased at a most shameful and alarming price.

Mr. Welbore Ellis took a new ground of opposition to the address.

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He observed, that, by the forms of the house, all matters, which concerned commerce and trade, were obliged first to be referred to a committee of the whole house; that in that committee certain resolutions were moved, which were afterwards reported, and which, having been adopted by the house, were made the foundation of bills, that were then conducted through the usual stages. Such was the wise precaution, which the practice of our ancestors had prescribed to us, to prevent the country from being hastily involved in any pernicious measure upon so important a subject. On the present occasion they had only proceeded to the length of reporting the resolutions, and an address was now moved to the sovereign. Thus was it violently attempted, to deprive parliament of its usual powers of deliberation, and prematurely to pledge them to accept whatever bills might be grounded upon the resolutions of the committee. The address which had been moved was final and conclusive. To adopt it would be a direct violation of parliamentary form, and a defiance to all the precedents of their former proceedings. Mr. Ellis concluded with moving the previous question.

Mr. Sheridan enforced the argument of Mr. Welbore Ellis, and declared, that recourse ought to be had on that day to no other topic of opposition, but that of the irregularity and foulness of the proceeding. To prove the importance of this objection, he recurred to the example of the commercial settlement which had been attempted by the treaty of Utrecht. This measure had quietly passed through the earlier forms, and, after a long debate in the committee, the question for leave to bring in a bill was

carried by a greater majority, than any vote on the present treaty. The bill was read a first and a second time; it was committed, and the report from the committee was read and agreed to; but, notwithstanding these favourable appearances, it was ultimately rejected. Mr. Sheridan concluded with observing, that the real question was not, whether the commercial treaty were desirable; but whether the vital and essential privileges of parliament, upon which their deliberative and legislative capacity inseparably depended, should be sacrificed, as a mere matter of compliment, at the foot of the throne.

Mr. Pitt observed, that the members of opposition had hitherto argued against the treaty, as likely to injure the trade and manufactures of this country. But it now appeared from the argument of one of their leaders, (Mr. Burke) who had taken a very active part in the debate, and had displayed a very uncommon share of ability, that that ground of argument was ultimately abandoned. Finding all their objections to the measure untenable in fair reasoning, they had therefore that day resorted to a fresh argument, and attempted to complain, that there was an intention of coupling the introduction of a system of French commerce, with an adoption of the principles of the French constitution. But was there really any thing slavish or inconsistent, for the house of commons to approach the sovereign with an address, informing him, that they had taken an important topic into their serious deliberation, and that they were ready to co-operate with him in its execution. So far from any detraction of the spirit of the British constitution, this proceeding was such; as no constitution but

but a free one could admit. Gentlemen on the other side had called for precedents, and had laid great stress on the scarcity of such precedents. There was one which he could produce, which was clearly and decisively in point, and was only of two years standing. He supposed he should be told, that such a precedent would lose its weight, when it was considered, that it was established under an administration, whose inexperience and ignorance had given rise to innumerable absurdities and blunders. But he desired it might be remembered, that that administration had had the advantage of the most vigilant, the most indefatigable and unintermitted correction, of a check from persons, the most numerous, the most able, and the most united, that any administration in this country had had the good fortune to encounter. They had however met with no such admonitions at the time of establishing the precedent to which he alluded, and therefore he apprehended no great force could be ascribed to any objection, that could now be made to its efficacy and validity. The instance to which he referred was that of the address on the subject of the Irish propositions, by which the house had pledged itself to the passing certain acts of parliament for the purpose of carrying those propositions into effect.

Mr. Sheridan now rose to move a new question, that of adjournment, in order, as he said, that he might have an opportunity of proposing a resolution upon the subject of the extraordinary doctrines laid down by the minister, doctrines as new and unconstitutional, as ever were heard within those walls. He had observed, that he could produce a precedent for such an address

as the present, and had instantly mentioned one of his own. This was the great feature of Mr. Pitt's administration, which commenced in proceedings directly contrary to the constitution, and had ever since abounded with instances of outrage against it. He however dared him openly and fairly to maintain, that an address, such as had that night been proposed, could be justified. He added, that, if he were not permitted to offer his resolution, the object of which was to declare the opinion of the house, "that it was impossible for them to bind or preclude themselves by any address to the throne, from debating or voting upon any subsequent legislative question," he certainly would say no to the first reading of the intended bill, for the purpose of bringing the question fairly under discussion.

Mr. Fox reprobated the whole proceeding of that day, as in the highest degree unbecoming in that house, and contrary to its ancient and established forms of proceeding. Should the address unfortunately pass, he must in that case heartily wish that the house had been in a committee, if it were only to save the speaker from the shame and disgrace of attending at St. James's upon such an occasion. With what an awkward feeling must he inform the sovereign, that his faithful commons had destroyed their own forms, and grossly violated the constitution? Had lord Bolingbroke and Mr. Harley, in the year 1713, been aware of the fate of their treaty, they would no doubt have aimed at a measure similar to the present. But in those days, when one of the most formidable parties governed this country that had ever been in possession of power, they had never dreamed of
adventuring

venturing to so unexampled a length as the present minister, who had profited by their shortsightedness, and whetted his sagacity upon their dulness. Mr. Fox concluded with observing, that, by agreeing to the question, they would not only make a bad precedent for their own proceedings, but as absolutely preclude the house of lords from free debate, as if they had followed the example of Oliver Cromwel, and silenced that necessary and constitutional branch of the legislature.

Mr. Pitt replied. He asserted, that, so far from its being true that the address would infringe in the smallest degree upon the privileges of the house of lords, it would on the contrary place them on the most advantageous ground for the discussion of the subject. For, as the proposition related to finance, and had for its object a regulation of duties, the house of lords, if it were sent up to them in the shape of a bill, would not be at liberty to make any alterations; but, being sent to them only as a resolution, they would by no means find themselves equally circumscribed. He confessed, that no resolution of that house could absolutely bind it down to the future adoption of any measure, and, if, after passing any resolution, the house should find sufficient ground to alter its opinion, it was not only competent, but bound in duty, to act contrary to such a resolution. At the same time no person ought to vote for the address, unless he were reasonably assured that his opinion was final. The address was supported by Mr. John Scott, Mr. Matthew Montagu, Mr. Hawkins Browne, Mr. Daniel Pulteney, Mr. William Young, Mr. Wilberforce, lord Mornington, lately appointed a lord of treasury, and Mr. Grenville.

1787.

It was opposed by Mr. Windham, captain Macbride, sir Grey Cooper, sir James Erskine, Mr. Adam, Mr. Anstruther, Mr. Dempster, and Mr. Powys. The house divided on Mr. Sheridan's motion of adjournment, ayes 160, noes 236, and the address was then carried without a division.

Copies of the treaty and the convention, together with other papers illustrating the new system of commerce, were presented to the house of lords by the members of administration, on the same days on which they had been laid on the table of the house of commons. The duke of Norfolk, who took the lead on the part of opposition on this occasion, endeavoured to obtain other papers, illustrating the value of our intercourse with Portugal, and ultimately complained, that the documents afforded on that head were by no means satisfactory. On the twenty-third of February the house of commons, having desired a conference, presented to the lords a copy of their resolutions and address, and requested their concurrence in these proceedings. Thursday the first of March, was appointed to take the subject into the consideration of a committee of the whole house; and on the preceding day it was moved by the duke of Norfolk, to resolve "that the treaty concluded in 1703, called the Methuen treaty, was a subsisting treaty, and had invariably been found productive of benefit to the commerce of the contracting parties." It was his intention to have founded upon this resolution, if carried, a second proposition, declaring, "that it was expedient, that any difference, that might have risen upon the construction of that treaty, should be amicably adjusted, and such farther

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arrangements adopted as might effectually secure its continuance, before they proceeded to the confirmation of the treaty with France." Upon the first resolution the house divided, contents 26, not contents 81. A farther motion was proposed, early in the day appointed for the consideration of the treaty, by lord viscount St. Germain, to resolve, "that no address to the throne and no resolution of that house could bind them in their legislative capacity, or bar the right of the subject to petition against any bill, which might be founded on such address or resolution." This motion having been over-ruled, it was moved by the marquis of Buckingham, that the house should adopt the first of the resolutions, which had been communicated to them by the commons.

Upon this occasion the bishop of Landaff particularly distinguished himself. Though, previously to the period in which he had had a seat in that house, he had been considered as taking a warm interest in the political transactions of his country, and though his abilities perfectly qualified him to figure in the discussions of the most elevated assembly, he had however hitherto thought proper to refrain from debating in parliament upon any merely political question. On that account the sentiments he delivered attracted more attention, both from their immediate hearers, and in a more extensive circle. His enemies, and it is not to be supposed, that a prelate, who had displayed so much zeal and intrepidity in the cause of ecclesiastical reform, should not have many enemies, sarcastically observed upon the period in which he came forward; which was immediately subsequent to the distribution of several important

benefices, the see of Durham to bishop Thurlow, and the see of Lincoln to doctor Pretyman, who had formerly been preceptor to Mr. Pitt; upon which benefices, they pretended, he had fixed the eye of jealousy and ambition. Without entering into a personal vindication of doctor Watson, which would be foreign to the business of this history, and without staying to deplore that severity and bitterness, which too often pursue the advocates of equality and justice, we shall merely observe, that his sentiments are too important, and his reasonings too able, not to be stated by us in considerable detail.

The bishop began with remarking, that, as his sentiments were decidedly against the treaty, so his opinion had not been rashly taken up, or rashly entertained. All those, with whom he had conversed upon the subject, could witness for him, that he had expressed these sentiments from the first moment in which the treaty had been announced to the public; and every thing, which he had since heard or read upon the subject, confirmed them. He could find nothing in the circumstances of the country, which should drive us, like merchants of bankrupt credit, to dangerous speculations. We stood high among the nations of the earth, and attracted the envy and admiration of Europe. In order to impress the truth of this judgment upon the minds of the house, he entered into a review of our commerce from the year 1740 to the conclusion of the late peace; and he imagined, that a statement of the balance of trade between this country and its neighbours, would be a sufficient standard of the prosperity we had enjoyed. The most flourishing period of commerce, which this country had

had ever seen, was about the year 1750. At other periods we had had larger exports, but the balance of trade in our favour was then at the highest, and amounted to near five millions and a half per annum. From the year 1740 to the year 1780 it amounted to four millions; and, though, if we added the two remaining years of the war, it would somewhat diminish the average, that was certainly owing to a singular concurrence of circumstances, and would not afford ground for any reasonable prediction. The bishop went on to state the countries from which this balance arose; from Holland 1,400,000 l.; from Germany 700,000 l.; from Flanders 600,000 l.; from Portugal and Spain 400,000 l. each; and from North America 500,000 l. He omitted Ireland, because, from the different modes of valuing her linens in the English and Irish custom-house, there was a diversity of opinion: He omitted Africa, because the greatest part of our trade to that country was a scandalous trade, repugnant to every principle of humanity and Christianity, and not to be justified by any arguments to be drawn from its utility. He omitted some other sources of considerable importance, because they only supplied the drain, which we experienced from Russia, from Sweden, and from Turkey:

Thus had he brought to their recollection the great and ancient channels, in which our commerce had flowed with uninterrupted success for half a century. From the vicissitudes incident to human affairs, a few obstructions had of late years been formed in some of these channels; but surely the wisdom of the nation would have been much better employed, in removing these obstructions, in cleansing, in

widening, in deepening, in fencing and securing these ancient channels, the advantages of which had been known to our fathers and ourselves, than in opening a new one, the rocks, the shoals and the whirlpools of which were unexplored, the dangers of which no mortal eye could foresee, the advantages of which were certainly speculative, might be delusive, and if delusive, then ruinous to our wealth, our consequence, and our independence, to all that we held dear as men and as Englishmen. He added, that the estimates he had stated were previous to the late peace. He did not certainly know, whether for the last five years our commerce had been more or less flourishing than for the forty preceding years. But he would state this dilemma: if the balance of our foreign trade had been stationary or increasing, where was the wisdom of interrupting its course by new arrangements? Why should not we leave it to our own successful operation? If it had diminished, why should we risk its farther diminution by opening a trade with France? It must in that case have been from her rivalry in foreign markets that our export trade had decreased. It was not Germany, it was not Prussia, it was not Spain, that had broken in upon it; it was France, and France alone; and, if she had driven us out of foreign markets, what chance could we have of meeting her in her own?

He would not assume the prohibition of our commerce with France as an efficient cause of our commercial greatness. Two simultaneous events might exist, without one of them being the cause of the other. But, if it could be shown that our commerce did not flourish, when the trade with France was open, as

clearly as it appeared that it did flourish, when our trade with France was shut, men of plain understandings would suspect, that there was some such connexion between the circumstances, as subsisted between cause and effect. To enforce this general reasoning, the bishop quoted the preamble of a statute in the reign of king Charles the Second, which was as follows, "Whereas it has by long experience been found, that the importing French wines, &c. has much exhausted the treasure of the nation, lessened the value of the native commodities and manufactures, and brought much detriment to the kingdom in general:"—and he was by no means satisfied, that the circumstances of the nation were so entirely changed, as to render a trade, which in the time of Charles the Second was highly detrimental, and by which we lost a million per annum, safe and lucrative at present. So far from its being true, as had been alledged, that at that time we had exported little except our woollens, we had exported, exclusive of that manufacture, above two hundred articles; we had exported wrought pewter, copper and iron, hoops, nails, and other articles of hard-ware; we had exported tin, lead, alum, corn, coals, gunpowder, glass, earthen ware, and leather. He could not therefore be persuaded, that there was good ground for admitting, that the relative situation of the two countries was not much the same now, as it had been then; and, if it were same, then was the argument from experience conclusive against the treaty.

The bishop proceeded to examine the motives, which had induced administration to negotiate a treaty with France, and to abandon the

policy of their ancestors. By motives he must be understood to mean only the open and avowed motives. There might be secret ones of more weight and authority than any he had heard alledged; and, when he considered the enlarged views, the profound policy, the retrospective wisdom, and the prospective sagacity, which usually did, and always ought to pervade the conduct of princes, he was persuaded that there were such. He was disposed to think, that the framers of this treaty had a moral certainty, that the French in consideration of it would never more either directly or indirectly disturb us in our possessions in Asia; that they would not by underhand negotiation attempt to rob us of every commercial advantage and every political alliance we had in Europe; that they would not either secretly or openly foment dissensions in Ireland. He trusted that ministers had a clear foresight, that in consequence of this treaty our navy would not be diminished; nor was that enough: but that it would be increased, and increased in a higher proportion than the navy of France. He trusted that they had the strongest expectations, that the introduction of our manufactures into France at this critical period, would be so far from becoming an incentive to French industry, that it would immediately annihilate their rising manufactures of cotton, cutlery, hardware and pottery. The ostensible motives were two: that of perpetuating peace between the kingdoms, and that of augmenting our revenue by extending our trade.

In the force of the first of these considerations he placed no confidence. Had we forgotten,—no length of time would ever obliterate

terate the circumstance from his memory,—it even yet rankled in his recollection, that, during the progress of the American war, every annual speech from the throne, every monthly dispatch from our ministers at Paris, announced to this honest, unsuspecting nation, the peaceable disposition of the cabinet of Versailles? and yet, when the long wished for, auspicious moment arrived in which she could most distress us, with what bold and barefaced perfidy did she break the peace? And should we now, while we were yet smarting from the consequences of her treachery, become a second time the good easy dupes of her duplicity? It was not a trifling lustration, that would in his mind expiate the perfidy of the French councils. He admired the French as an intelligent and ingenious people; he loved them as an agreeable and polite people; but he dreaded them as a great, he suspected them as a negotiating, and he detested them as an ambitious people. Let no man talk to him of exchanging ancient prejudices for liberal sentiments. He hoped he did not want, more than others did, liberality of sentiment in private life, but he would not part with his prejudices against France. They were prejudices, which for ages had preserved the independence and liberty of this country, and he would carry them to his grave with him.

With regard to the prospect of increasing the revenue by extending the trade of the country, it was not more to be depended upon. The approbation of the manufacturers was adduced as conclusive. He had the honour to have long known several of them, and no man had a greater respect for the manufacturers in general; but the ob-

jections they had advanced to the Irish propositions were too forcible, not to impress his mind in the present instance. All that was said concerning cheapness of labour, price of raw materials, lightness of taxation, exemption from duties, inefficacy of countervailing duties, and facility of smuggling, was as applicable to the commercial treaty, as it had been to the Irish propositions. But, leaving for a moment the consistency of the manufacturers to be explained by themselves, it was necessary that he should explain his own. He had been a friend to the Irish propositions, and he was an enemy to the commercial treaty. Where was the consistency of his conduct? Clearly in this, that France and Ireland stood in different relations to this country. He had been a friend to the Irish propositions; not from a full persuasion, that they would not have interfered with the manufacturing interests of Great Britain; but from a persuasion, that the wealth, dignity and consequence of Ireland would ultimately be the wealth, dignity and consequence of this country. The bishop went on to enumerate various articles, in which he entertained a well-founded apprehension of the fatal effects of French competition; and he concluded with apologizing to the house for the length of his observations. He had spoken his opinion as an honest man. His spirit had ever been too high, to suffer him to enlist himself under the banners of administration or of opposition; and he would always follow the dictates of his own judgment. Any other conduct would be a profanation of the holy habit he wore.

The marquis of Lansdown entered with great minuteness into the merits of the treaty. Upon its

general principles he bestowed his highest applause. They were principles upon which his mind had long been made up; and, so far as regarded himself, he had been ready on a former occasion to have carried them into execution, and to have boldly encountered the consequences. But there was distinction between treaties of a political nature and treaties of commerce. With respect to the latter he felt a particular deference due to the public at large, who were commonly, at least in England, better instructed in these matters than ministers themselves. He had likewise been apprehensive, that he might have attempted too much at a time, and embarked too great a charge on board the same vessel; and he rejoiced that he had done so, when he recollected the angry disposition of the moment, in which the preliminaries of peace had been made the subject of parliamentary consideration.

The bishop of Landaff had maintained, that our commercial system required no alteration, which, with great submission, the marquis believed could not be said of any thing. Men of letters in different countries contributed their aid to develop and extend the principles of free trade; and their opinions had been partly carried into execution by the administration of France. He ridiculed the mode of calculation which had been adopted by the bishop, of estimating the value of our commerce by the balance of trade. This method had gradually become exploded, and was in its own nature perfectly ridiculous. Lord Lansdown laid considerable stress upon the sentiments of the manufacturers, who were much better judges in this case, than they had been in that of the Irish pro-

positions. When the opinion they formed respected the home market, they were objects of jealousy and control; but when it related to the freedom of a foreign market, and the extinction of prohibitions, they were objects of protection and unlimited confidence.

The marquis exerted himself to refute the idea, that there was any particular reason why France should form an exception to the general principles of our system. It was not true, that France had been always inimical to us. To an earlier period, when we had possessed provinces in France, it was not necessary to recur, since our wars during that period were rather wars of the dukes of Normandy and Aquitaine, than of the king of England. This situation expired with the surrender of Calais by queen Mary; and what had happened since? Queen Elizabeth, a model of wisdom, had always set a particular value upon the French alliance. The Stuarts, who were usually estimated at nothing in an enquiry of policy, had been accused, perhaps unjustly, of too much attachment to France; for, if Charles and his queen had attended a little more to Richelieu, or James the Second been governed by the advice of Louis the Fourteenth, there would have been an end of the British constitution. Cromwel, who was the next instance, had been always and intimately in alliance with France. In more modern times, a person very different from either Elizabeth or Cromwel, sir Robert Walpole, had maintained a constant good understanding with France. The war of 1741 had been brought on by the clamour of a senseless opposition, against the conviction of the minister. The war of 1755 had not

not been the plan of France; and their not being prepared to meet us made it sufficiently evident. As for the last war it was too recent for discussion; he must however observe that flesh and blood could scarcely resist the temptation after the defeat of general Burgoyne. There was therefore only one exception to the general policy, which had prevailed between this country and France, and that was the reign of king William. But, as there might be spots even in the sun, so, with all possible admiration of that prince, it must be allowed, that his foreign politics did not make the brightest part of his character. It might fairly be concluded, that, if he had lived at the present time, he would have acted in a different manner. France was no longer the same, but was as different from itself as Louis the Fourteenth from Louis the Sixteenth. One was a lover of glory, the other of justice; one was ambitious, the other gentle; one sought foreign conquest, the other to improve and render his people more virtuous. But exclusively of the character of the monarchs, a spirit of individual, as well as general independence prevailed. The rage of serving in armies was abated, and men enjoyed a consideration independently of the court and the minister, perhaps greater than either could confer. Fundamental principles were established, which pervaded every country, and originated in the natural rights of men; and, above all, the hateful absurdity of going to war for the sake of court caprice, or any additional territory or trade became every day more exploded.

It was not true, that France was our natural enemy. We had no contiguous frontier, and France had no claim upon us. In fact

there was no such thing as a natural enemy, except the power that kept up three hundred thousand men, with a view to conquest, and not from a principle of defence. That power was the enemy of mankind, and deserved that all Europe should confederate against it. The marquis explained on a subsequent day, that in this he did not mean to allude to the king of Prussia, whom he knew to be one of the most ardent lovers of humanity, and who cherished no views, but such as conduced to the tranquillity and happiness of his people. Great Britain, he proceeded, was formed to be the model of good policy to every other state in Europe, to originate peace, and to inculcate the principles of peace. It was ridiculous to talk of holding the balance, and at the same moment to throw ourselves as a dead weight into one of the scales. If tomorrow the imperial courts and Prussia should join to give laws to Europe, would any man say, that the general independence did not hang upon the junction of France and England? The case had actually happened. The scandalous partition of Poland, which, if kingdoms were to be judged hereafter like men, must meet with condign punishment, was owing to this very prejudice. Nothing had given him greater concern than this circumstance, when he went out from the office of secretary of state in 1769, as it had been his full intention at that time, to have proposed to the king of France a confidential, as well as an open connection with Great Britain, to counteract the partition.

Having established the wisdom of the general principle of the treaty, the marquis proceeded to examine its parts, and to state his objections.

It was difficult in any negociation to ascertain, where the negociators had been deficient, and how far more might have been obtained. He was however free to confess, that he felt something of this sort. There were articles in favour of France, to which he could find no reciprocal concessions in favour of England. This was the necessary result of the nature of the French commodities, which were the indefeasible produce of her climate and soil. It was ridiculous to talk of the superiority of our manufactures, as sufficient to countervail these reciprocal articles. Nothing could be more precarious, than an estimate built upon that ground. Our boasted cottons were the growth of a day; we saw manufactures rise up almost instantaneously. But the advantage in the produce of France was positive and eternal; as long as the earth endured, it would remain to her. He was the more inclined to believe that we could have gained something in exchange, as it was well known how impatient France had been for the treaty. What had occurred to his mind was to have gained some advantage in point of navigation, and to have said something of this sort to France: in proportion as we give you land, you must give us sea. And this led him to his second objection; which was, that we had conceded the neutral code. He was perfectly astonished at seeing such an article, and he knew not how it could come into the imagination of persons, who had the least acquaintance with the law of nations, or the transactions of the last five years. It had been positively refused to Russia, even in a moment when we were under the necessity of doing, what he hoped we should never be reduced to do

again, of *courting* her alliance. He considered the putting an end to the Dutch pretensions in regard to it, as one of the most material points, that had been gained in the late treaty of peace. It was not for him to enter into the subject; but he flattered himself, the more the preliminaries were examined; the more it would appear, that this and other omissions were more important than many stipulations might have been. He should rather have expected, that France and England might have joined to extinguish this novel doctrine, brought forward in Europe by the northern courts. It was sufficiently notorious, that it was not the interest of either countries, to suffer new marines to start up and grow powerful. The marquis farther objected, that nothing had been stipulated upon the subject of India, and alluded to a treaty which he had heard of, by which the privileges of the East India company were completely sacrificed to the French, and which had been unaccountably rejected in Paris from the influence of intrigue and private interest. He observed as to Cherbourg, that he thought representations ought to have been made in regard to the works going on there; and that it might have been done in safe, prudent and politic language. In the course of his own experience, where he had found one representation succeed on the ground of right, he had found many succeed on the ground of good sense and common interest. He also remarked on the injudicious manner in which the articles had been drawn up; and declared, that the seventh in particular was a mere chaos of words, without the possibility of drawing any meaning from it; and, least of all, a meaning
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favourable to this country. Lord Lansdown concluded with recurring to the situation of Ireland. It was inconceivable, that we should leave that people more connected in freedom of trade and facility of intercourse with France, than with Great Britain. It was idle to talk of the Irish propositions having been made and rejected, and that therefore nothing was to be done. If a minister for instance, were to tell the public and the parliament of Great Britain, that they did not know their own interest, and must abide by the consequence, he must be looked upon as insatuated. The conduct of the English manufacturers in the case of the French treaty must crush all their former objections to the system of the Irish propositions. The present therefore was the moment for ministers to revive the idea of a beneficial connection. He did not mean the vague, ill natured and inadequate system that had been offered; but a plain, simple, good humoured scheme of reciprocal intercourse, unmixed with any principle of politics, and particularly with that, to which the sense of Ireland was so totally averse, the obliging her of necessity to adopt all the future acts of trade of the British parliament.

The marquis laid no stress upon the objections that had been started respecting the danger of our fluctuating capital in the event of a war, and upon the subject of the hovering acts. The French were not a nation of Algerines and savages, and he hoped to see the day, when our present anxious precautions against smuggling would be annihilated by the growing freedom of our trade. It had been farther said, that we should rue the consequences of the present mea-

sure; that France would flourish, and we should suffer by the treaty. He would venture to prophesy, that, if this country declined, prejudice might ascribe it to this cause, but it would in reality originate in something very different. If we continued under a perpetual fluctuation of administrations, and France adhered to one system; if we went on in the rottenness of corruption, and she exerted herself, as it was reported she was about to do, in rooting it up; if she adopted great measures, and we pursued little ones, there was no doubt which country must flourish, and which would decline. But he was not afraid to say, knowing the natural liberality of English minds, that it was the duty of every man and every citizen to rejoice in the prosperity even of a foreign country, when it was produced by fair and honourable means. If a man had the misfortune to find that he could not govern his own family, he must be base indeed, if he repined at seeing a neighbouring family virtuous, well ordered and happy. Upon the whole the marquis felt himself inclined to a warm support of the treaty, persuaded that the principle carried transcendent benefit with it, whatever opinion he might have as to some of its particular clauses.

The debate upon the commercial treaty was productive of an altercation between the marquis of Lansdown and the duke of Richmond, of a nature, which, as it tends to illustrate character, we shall ever consider as one of the most interesting topics of political history. In the course of the debate the duke observed, in reply to one of lord Lansdown's animadversions, that we had nothing to do with the French erections at Cherbourg, and that

at with the same propriety: they might come and say to us, you will not fortify your dockyards of Portsmouth and Plymouth. This argument was retorted by the marquis, who observed, that we certainly had not more, perhaps not much concern with the erections at Cherbourg, as they had with our fortifications; since, if ours were carried into execution, the French would, on the event of an invasion, take possession of our fortresses as advantageous posts. The duke, who probably had been irritated by the part, which had been taken by the friends of lord Lansdown in the house of commons upon the subject of the fortifications, caught at this insinuation. He observed, that, if we might infer the marquis's sentiments from the voice of certain persons in another place, he had changed his opinion in regard to the fortifications, as much as it appeared he had done on the subject of the Irish propositions. In the mean time the duke had no hesitation in declaring, that the plan for the fortifying of Portsmouth and Plymouth had been submitted to lord Lansdown, when he had been at the head of the administration of this country, and that he had signified his direct approbation.

In the sequel of the altercation appeared, that the marquis was now ready to avow his express disapprobation of the plan of fortifications, and the question, whether he ever professed to approve them, remained to be decided from two letters, the one written by the duke of Richmond confessedly subsequent to the period in which the supposed approbation had been given, and requesting the thoughts of the marquis upon various subjects relating to the department of

the ordnance, and among others upon the new system of fortifications. The other letter was a declaration by Mr. Pitt, who had been present at the disputed conversation, made at the request of the duke of Richmond; the subject of which was, "that his memory at the distance of four years did not enable him to say, that lord Lansdown did positively give a full and direct approbation of the plans, but that the impression made upon his mind at the time was, and had continued so on every reflection since, that he did signify his approbation."

Upon these circumstances lord Lansdown observed, that his situation at the period in question, when he was settling the important measure of the preliminaries of peace, had been attended with great difficulties. He perhaps had reason to fear under all the circumstances of that time, that the duke of Richmond might change his mind; and he must necessarily have dreaded the change of one out of the seven members of the cabinet. Thus critically situated, when the duke opened his plan, there might perhaps be a degree of address on his part in what had passed on the subject. It was natural; it might have been necessary; but he solemnly declared that he never directly approved, and he challenged the duke to produce a scrap of a pen from him on the subject. He admitted that the suppression of doubts would be unpardonable, if that suppression went so far as to delude a colleague to hazard his plan before parliament, where he was to be abandoned and exposed. This declaration however the marquis was afterwards obliged to qualify, as it appeared, that a sum of money for the fortifications had actually

tually been included in the ordnance estimates of 1783. If it were urged, that there was blame due to him upon that score, as a minister, he was free to say there was great blame. But that was another question; and he protested he could not tell why he had suffered the plan to be proposed. With respect to the charge of insincerity, which the duke had thought proper to advance against him, he believed it was totally incapable of support. Openness was his characteristic; and it was solely from the consideration of the unguardedness of his temper, that by the advice of his friends he had secluded himself from the world.

The speakers in favour of the treaty were lord Thurlow, lord Hawkesbury, lord Walsingham, lord Townshend, lord Grey de Wilton, lord Hopetoun, and lord Fortescue. Those who distinguished themselves in opposition were the duke of Manchester, lord Carlisle, lord Loughborough, lord Fitzwilliam, lord Sandwich, lord Scarborough, and lord Portchester. The house divided upon the first resolution, contents 81, not contents 35; and upon the report, contents 94, not contents 35. The address was presented on the eighth of March.

The question respecting the violation of the forms of parliament was not given up by opposition, and on the day, previous to that of presenting the address, Mr. Fox moved in the house of commons the resolution, which had been proposed by lord Stormont in the house of lords. Beside recapitulating and enforcing the arguments he had already employed, he observed, that by the address which had been carried, they were reduced to a choice of two very unpleasant

predicaments; the one was to let the treaty pass, however repugnant its principles might at the time appear to their sentiments, or however injurious to the interests of their country; and the other to reject it, and of consequence to subject themselves to the imputation of having made a precipitate and a faithless promise to the sovereign. The latter conduct would certainly be of the two the least injurious, at the same time that it was subject to very great inconveniences, and was a situation by all means to be avoided. It was derogatory to that sacred faith, which ought always to be preserved in promises that were made, or addresses that were laid at the foot of the throne. Mr. Pitt treated the objections as cavilling and frivolous; and observed, that, so far from retrenching from the privileges of the house, he had in fact added two new and additional stages, the address and the report of the address, to those which had been provided by the wisdom of our ancestors. The conduct of administration was defended by Mr. Dundas, Mr. Arden and Mr. Bearcroft, and censured by Mr. Sheridan, Mr. Bastard and sir William Molesworth. By the latter of these an allusion was made to the case of the ordnance estimates, in which the house had been told that they were pledged to a future measure by having consented to a past transaction, and the surveyor-general of the ordnance had insisted, that, when the matter came out from the disquisition of the board of officers, they were not at liberty to refuse the money. The house divided upon Mr. Fox's resolution, ayes 113, noes 188.

On the twenty sixth of March the house was moved in a committee to come to certain resolutions,

tions, proposed by Mr. Pitt, and the object of which was to reduce, at least pro tempore, and during the pendency of our negotiations with Portugal, the duties upon

Portugal, Spanish and Madeira wines, to a proportion one third lower than the new duties upon French wines. The resolutions were adopted.

CHAPTER V.

Consolidation of Customs. Budget. Farming of the Post Horse Tax. Lottery Bill. Mutiny Bill. Spanish Convention.

ONE of the subjects, which had been suggested to the attention of parliament in the speech from the throne, and which had excited considerable expectation, was the intended consolidation of the customs. Mr. Pitt opened this business to the house of commons on the twenty sixth of February; and we cannot better explain the nature of the measure, than by extracting the language he employed upon this occasion.

It was not necessary for him to insist upon the great importance of the subject, or to expatiate on the advantages it was intended to produce. When he considered them, it appeared more difficult to account for the long delay of this proceeding, than to prove the propriety of now adopting it. The increasing commerce of this country on the one hand, and its accumulated burthens on the other, had so widely exceeded the expectation of our ancestors, and all the grounds of calculation on which they founded their system of finance, that the principles they adopted, though sufficiently suited to the narrow and confined scale of our former exigencies and resources, were no longer applicable. The

consequences of retaining the old principle under the altered circumstances of the country, had been in several points of view highly detrimental to the interests of the nation. Mr. Pitt entered into the history of our revenues; and stated, that the first institution of the subsisting duties of custom was made by a statute in the twelfth year of king Charles the Second, under the names of tonnage and poundage; the first an imposition upon wines measured by the quantity imported, and the second a duty ad valorem upon all other articles. The last was therefore liable to great inaccuracies. It was not calculated according to the real value of the commodities, but by an arbitrary value, perhaps the market price of the article at the time of imposing the duty. The consequence of such a mode of taxation frequently was, that in goods of one general description the duty was the same; so that it either operated as a prohibition upon the coarser manufactures, or was not at all felt by the more perfect. This principle, when once adopted, was pursued in every fresh subsidy. In some instances it had operated, by imposing additional duties,

ties, calculated at so much per cent. upon the duty already paid; in others it laid a farther duty of the same description on a particular denomination of the commodity. Almost all the additional subsidies had been appropriated to some specific fund for the payment of certain annuities. There must therefore be a separate calculation for each made at the custom house; and from the complexity of the whole system it was scarcely possible, that any merchant should be acquainted, by any calculations of his own, with the exact amount of what he was to pay. It was extraordinary, that consequences in a high degree serious had not resulted from this evil. The fact was however, that some persons employed in the custom house, and whose whole time was dedicated to the business, had, for the ease and convenience of the traders and merchants, arranged a general view of the customs in the form of a book of rates, which was found in a certain degree useful. But the utility arising from such a compilation could not be of very long standing, when it was considered, that in every session of parliament there was some alteration made in several of the duties, and that each of these alterations totally unhinged and overturned the use of every preceding calculation. Beside this, though the calculation contained in the book of rates might be ever so accurate, the merchant could not go to the custom house and enter his goods immediately, paying the sum there stated, but must wait, as if no such book had existed, till all the usual calculations on each subsidy had been made; so that in point of time nothing was saved. Mr. Pitt added, that the same abuses prevailed, though not

in an equal degree, in the offices of the excise, and of the stamp duties; and were therefore included in his plan.

The mode, by which he proposed to remedy this great abuse, was by abolishing all the duties that now subsisted in this confused and complex manner, and to substitute in their stead one single duty on each article, amounting as nearly as possible to the aggregate of the various subsidies now paid, only, where a fraction was found in any of the sums, to change the fraction for the nearest integral number, usually taking the higher rather than the lower. This advance would produce an increase in the revenue to the amount of 20,000*l.* per annum; and would lay upon the public a burthen, most amply compensated by the relief, which the merchant would experience from the intended alteration. In some few articles it was Mr. Pitt's intention to introduce regulations of a much greater extent, particularly in certain species of timber, and in the duty upon drugs, which last it would be necessary to reduce, as by their present amount the fair trader was nearly driven out of the market, and the whole business thrown into the hands of the smuggler.

Mr. Pitt thought it necessary to add some remarks upon the effect of the intended measure upon the security of the public creditor. Many of the subsidies to be abolished were appropriated to the payment of certain specified annuitants, and some of the annuitants were of consequence entitled to a priority of payment. But this priority it was by no means his intention to affect, since it might as well be maintained by paying all the public creditors out of one general fund,

the tariff of the French treaty. Advantage had been taken of this event, and, as it appeared to him, an unfair and unparliamentary advantage, to keep the treaty as much as possible out of the sight and out of the mind of the house. He was aware, that it had been too much the practice, to put together in the same bill propositions and clauses, which had no immediate relation to each other, contrary to the spirit of parliamentary order. But in those cases the propositions taken separately were seldom such, as to be liable to any objection in either house. To adopt this proceeding in cases, where it was known, that one of the component parts of the bill would be strenuously opposed, was in effect to preclude both houses from exercising their undoubted privilege, and to tell them in other words, that, if they dissented from a proposition of a very questionable nature, they must do it at the peril of rejecting a measure, universally conceived to be of the highest public advantage. He accordingly suggested as an amendment to Mr. Pitt's motion, to insert the words "a bill or bills;" and his amendment was supported by Mr. Martin, Mr. Hussey, and Mr. Sheridan. The house divided upon the question, ayes 64, noes 137.

The temper of the house of commons has of late years been such, as to incline them to a more dispassionate and impartial examination of the propositions that are brought before them, than has been exemplified in former periods of our history. The minister, though in a high degree popular and respected, has been left in a minority upon some question, which has been considered as interesting to our liberty and our constitution, in almost every session of the present parlia-

ment. A party has been formed among what are styled the country gentlemen, different from what bore the denomination of a country party in the time of our fathers, and whose object has been to hold a kind of balance between the ministry and their adversaries, to vote generally with the former, but upon questions where reason and justice seemed to be with the latter, as cannot fail ever and anon to be the case in the eyes of a person entirely divested of prejudice, then to change their side, and, as it frequently happened, to prove a casting weight in the scale of opposition.

Two questions, which were thus taken up by the country gentlemen at the period of which we are treating, and upon which of consequence the style of constitutional questions was bestowed, were that relatively to the address upon the commercial treaty, and the question now started by sir Grey Cooper, respecting the propriety of including the two great ministerial objects of the session in one bill. This question was accordingly revived on the twenty-first of March, fourteen days after it had first been debated, by a proposition, moved by Mr. Balfard, and seconded by sir William Lemon, for instructing the committee upon the contested bill, to divide it into two, if they thought proper. By Mr. Balfard it was remarked, that, reluctant as he was to impede the measures of administration, he was relieved from that embarrassment, by the circumstance of his having given his support to each of the measures comprehended in the bill. He had, therefore, no motive to bring forward the present motion, except what originated in his regard to the constitution, and in his persuasion, that the

the measure now urged by the minister was an infringement on it. In his opinion it was almost treachery to their constituents, for that house to submit to the evasion of a separate and distinct vote, by suffering the two objects to be put into one bill. If it were admitted, a precedent would now be established, which might hereafter be carried to a length highly to be deprecated; and the most atrociously bad measure might be forced through the house by a corrupt administration, under the cover of a good and favourite measure, with which it might be coupled. Though he acquitted Mr. Pitt of any improper motive, he was therefore obliged to exert himself in opposition to a proceeding, which was pregnant with the most fatal consequences.

Mr. Pitt replied, that Mr. Bastard had done him no more than justice in acquitting him of any disingenuous intention in coupling the two objects in one bill; for in fact, instead of thus securing the accomplishment of the more exceptionable measure, he rather ran the greater risk, since it was certainly more to be apprehended, that gentlemen would oppose a measure, one part of which was disagreeable to them, than that they would support a measure, part of which only they approved. And by this principle he wished the house to regulate its practice, since, by rejecting the whole together, they would by no means be precluded from taking up again separately that which was not liable to objection. Mr. Pitt argued the impracticability of complying with the motion, since, if the plans were introduced separately, one of two things must take place: either the treaty must have the priority, and in that case there

must be a considerable reduction in the duties on French commodities, duties already appropriated to particular funds for paying the interest of the public debt, without the introduction of an equivalent, and of consequence the funds must be diminished; or on the other hand, the plan of consolidation must be first carried into execution, and the duties on French commodities must necessarily be regulated, before the necessity of such regulations had been recognised by parliament. Sir Grey Cooper replied, that arguments from inconvenience could not justify a departure from the rules and orders of parliamentary proceeding; and that there certainly ought to be a separate book of rates for duties, which were to last only for twelve years. He added, that motions for instructions, similar to that proposed by Mr. Bastard, had never in any instance been refused; and that the propriety of the present motion was manifest, since the commons were entitled to insist, that the lords should make no alteration in a bill of supply, though they had never been so absurd as to deny the privilege of that branch of the legislature, to give their distinct affirmative or negative to every proposition that should be brought before them. The motion was supported by Mr. Fox and Mr. Vyner, and opposed by Mr. Grenville, and, the house having divided upon the question, the numbers appeared, ayes 65, noes 184.

Another point was strongly and repeatedly urged by Sir Grey Cooper, though it was not so generally espoused, nor appeared to make so deep an impression upon the house. This was the consideration, that, though the committee for forming these resolutions had received no

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instruction, but the general one for considering so much of the king's speech as related to the simplifying the public accounts, yet in reality they had imposed new taxes by more than one hundred resolutions upon timber for ship-building, deals, battens, and staves, and they had even been made the vehicle for reducing the duty upon Portugal wines. If this mode of proceeding, which he conceived had passed by inadvertency, should be adopted as regular, a minister might in future carve a committee out of a paragraph in the king's speech, containing general and indefinite words, such as commercial regulations, or plans for liquidating the national debt, and thus dispense with all the ancient forms and established wisdom of parliament. Sir Grey Cooper therefore moved, that the resolutions be recommitted, and that suitable instructions be given to the committee for their adoption. Mr. Pitt undertook to demonstrate, that the motion was futile and nugatory, and that it was absurd to imagine, that the resolution, which had led to the forming of the committee, had intended nothing more than a simplification of the customs, by advancing the amount of the several duties in which there appeared fractional numbers, since this alone, instead of simplifying, would have proved the means of additional confusion in the transactions of the revenue. The motion was negatived without a division.

In one of these later stages of the business, the question was again taken up by Mr. Francis respecting the duty on French laces, and it then appeared by the joint representations of Mr. Francis and Mr. Pitt, that the duty on thread laces would be seventeen shillings and seven pence per dozen yards, and

that silk laces of every sort would continue under an actual and express prohibition. Both these articles were dissatisfactory to Mr. Francis, since nothing could be more absurd than the uniform duty of seventeen shillings and seven pence, which bore indiscriminately on the quantity of the thread laces, without distinguishing between those of two pence and those of ten pence per yard; and since he was well assured, that the French silk laces made seven tenths at least of the consumption of the British dominions in that article, to the amount of 300,000 l. per annum, a consumption which deserved to be legalized, and from which an annual revenue of 30,000l. might be raised, without injury, and even with advantage to our commerce. In the last stage of the business Mr. Sheridan also revived the question respecting an arrangement with Ireland, and intimated an intention of speedily bringing forward a motion of his own upon the subject, which intention, it should seem, he was afterwards induced to postpone. The house divided on the fourth of April upon the question that the bill do pass, ayes 119 noes 43.

The consolidation act did not pass the house of lords without exciting some debate upon the question respecting the propriety of its being divided into two bills. In relation to this point lord Stormont alluded to the standing order of the house, by which it was declared, that "the annexing any foreign matter to a bill of aid or supply was an unparliamentary proceeding, and destructive of an essential principle of the constitution." Lord Hawkebury admitted that the standing order was founded in the best policy; but he observed, that the bills, to which it referred, and which had

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been the object of the protests of that house, were bills of supply for the service of the year, and not money bills of the nature of the present, where the money was a diminutive object, and came in, not as a matter of supply, but collaterally as the branch of a system. Lord Loughborough on the other hand reprobated this distinction, as a novelty of the most alarming and dangerous nature. He contended, that the dignity of the house was annihilated, and their use in the legislature at an end, if they were to be excluded from the exercise of their discretion, whenever the house of commons chose to insert a clause about money, in any bill, that they wished to rescue from the danger of deliberation. The objection was further enforced by lord Carlisle and lord Portchester, and answered by lord Sydney, lord Walsingham, the earl of Hopecloun, and lord Thurlow. The house divided upon the question, whether under these circumstances the bill should be permitted to go to a committee, contents 70, not contents 29.

On the twentieth of April Mr. Pitt opened the budget for the year 1787, in the committee of the whole house for the consideration of ways and means. It was a matter of much satisfaction to him, and he doubted not that the house would rejoice to hear, that he had such an account to lay before them of the state of our finances, as would shew that the promising picture, which he had on former occasions delineated, was by no means flattering and unfounded. The services of the year would be found to be amply provided for, though it had not yet been practicable to reduce many of our most expensive departments to the level of what might

have been expected, and what the select committee of the preceding session had described as an adequate peace establishment. At the same time the plan for the diminution of the national debt had been strictly pursued, and the several quarterly payments of 250,000*l.* regularly made. Mr. Pitt enumerated the articles of supply, and observed, that the navy, for which 2,286,000*l.* had been voted, and the army for which 1,810,000*l.* had been voted, exceeded the estimate of the committee of revenue, the one in 486,000*l.* the other in 230,000*l.* The ordnance, for which 328,550*l.* had been voted, fell somewhat short of the estimate of that branch of the public service made by the committee. The whole of the supply for the present year amounted to 6,676,000*l.*; and in the ways and means, out of which this sum was to arise, Mr. Pitt included the surplus of the sinking fund 1,226,000*l.*; a payment to be made by the East India company 120,000*l.*; the balance of the army accounts 210,000*l.*; and the benefits resulting from the consolidation act, together with 40,000*l.* for the article of cambrics, 100,000*l.* There had he observed been an uncommon falling off in the receipts of the customs for the last year, which was partly owing to an unfortunate season in the West Indies, so that in the single article of sugar there was a deficiency of 350,000*l.*; and partly to the general suspension of commercial speculation, which resulted from the depending negotiation of so many treaties of commerce with foreign nations. This circumstance would be so far from continuing, that our revenue of customs would experience an uncommon advance in the current year, even greater than it could be expected would be

lading. The present season in the West Indies promised to be the most productive that had almost ever been known; and our foreign commerce, no longer obstructed by our unsettled intercourse with other nations, but on the contrary having many new and extensive markets opened for it, would return again with that spring and elasticity, which always succeeded restraint. This increase of the customs he would take at 250,000; and he estimated the whole of our resources at the sum of 6,767,000 l.; so that there remained a surplus of 91,000 l.

Mr. Sheridan said, that the air of triumph assumed by Mr. Pitt sat but awkwardly upon him, at the moment, when he should have conceived another sort of demeanour would have better become the humiliating situation, which obliged him to state the finances of the kingdom to be in so different a condition, from that, which had been so confidently assumed for the present year, by the report of the committee of revenue. It was evident, that the receipt of the last year fell short of the year that had preceded it by 900,000 l. He added, that he was concerned to hear the article of the East India company mentioned as one of our resources, a circumstance, which alone was sufficient to fill his mind with great doubt and suspicion of the soundness of all the various expectations, which entered into the detail of the ministerial budget. Mr. Grenville, in reply to Mr. Sheridan, defended the contested report, and observed upon the particular of the East Indian account, that there was no one of her resources, to which this country could look up with more assurance, than to our possessions in that part of the world. The minister, who

should attempt to delude the house of commons on a subject of so much importance, as that which they were now considering, would deserve every possible censure. But at the same time he must maintain, that the converse of the proposition was equally true, and that neither ought any man, fond of gloomy ideas, to hold up a desponding picture of our finances, and endeavour to impress the house with a melancholy prospect, at a time when there was so much reason to feel satisfied.

The examination of the budget was resumed by Mr. Sheridan on the report upon the following day. He animadverted upon several articles that Mr. Pitt had enumerated in his list of ways and means; and the first he mentioned was the sum of 100,000 l. to be drawn from the duty upon cambric and the consolidation of the customs. Of this sum Mr. Pitt had assumed 40,000 l. as the revenue upon cambric; and of course 60,000 l. must be supposed to remain, as the produce of the consolidation. Mr. Sheridan referred to the speech with which Mr. Pitt had opened that subject, and appealed to the house, whether he had taken credit for more than 20,000 l. as the advantage to the revenue, and that likely to arise from the mere alteration of the fractions into the next higher integral numbers. Upon this circumstance Mr. Sheridan made two animadversions. It was evident from the more recent statement, that 40,000 l. had been levied upon the public in new taxes, and that in so silent and concealed a way, that he was convinced the house in general had been unapprised of the fact, till that moment. Small too was the right, under these circumstances, of the minister to boast that

that the revenue afforded a surplus without his being under the necessity of imposing new taxes. The next article was 250,000*l.* for an expected increase of the customs. It ought however to be remembered, that the reduction of the duties on wine and spirits would make a deficiency of 400,000*l.* and that of consequence the increase which was thus confidently assumed must produce 650,000*l.* before it could come up to the ministers idea. The 320,000*l.* stated as due from the East India company, would certainly by no other minister have been carried to the revenue of the year, and, instead of an aid to that amount, was entitled to no better a description, than that of a lawsuit with a good title. With regard to the army savings, and casual sums which might arise from the balance of accountants, or from the more successful collection of the taxes, these ought not to be reckoned upon, if we considered, that there were provisions sooner or later to be made on account of the royal family, the loyalists and other services, which must demand sums, far larger than the produce in question. Upon the whole of the ways and means there was a real deficiency, and, however it might be glossed over, a day would arrive, when the minister would wish that he had ventured to come boldly forward with some decisive measure, applicable to the real situation of the country.

Mr. Dundas undertook to explain the nature of the demand of 320,000*l.* from the East India company. By a clause of the East India bill of 1781 the company was to pay 20,000*l.* for the subsistence of every British regiment serving in India; the payment to be made in the time of ser-

vice and in the country of India. This sum the company had been unable to discharge in due course, and thence the debt had arisen. Nor was this the whole of the debt. A sum of 500,000*l.* was due for the army, and a sum nearly equal for victualling and other articles. It was therefore only a small part of our claim, of which the government demanded the immediate payment. In the course of the debate Mr. Grenville accused the secret committee for preparing charges against Mr. Hastings, of taking advantage of the power of calling for papers, and bringing forward a partial representation relatively to the state of affairs in India, which was by no means connected with the immediate object of their appointment. Mr. Burke repelled this accusation. He observed, that so far was Mr. Sheridan from being liable to such a charge, that the secret committee had not been assisted by him more than once, and then only for half an hour. With regard to himself, who was the person perhaps most assiduously intent on the subject of the committee, he was profoundly ignorant concerning the state of affairs in India, and so wholly occupied with his immediate object, that he had not once thought of attending to any secondary considerations. The speakers in defence of the budget were lord Newhaven, lord Mulgrave and Mr. Steele; and those by whom its articles were disputed were Mr. Baring, Mr. Fox and sir Grey Cooper.

On the seventh of May Mr. Dundas opened to the house, as he had done upon some former occasions, what he styled the budget of India. He observed, that it had always been his opinion, that the

affairs of that country should be public, as he conceived it to be highly unbecoming, that any part of the empire should be in the receipt of a revenue of five millions, and maintain an army of seventy or eighty thousand men, without its being known to the house of commons, how that revenue was disbursed, and why such an establishment was supported. Mr. Dundas stated the debt in India at its highest possible amount, as nine millions sterling; and he asserted, that the revenues of the last year afforded a surplus of 1,800,000 l.; and that the surplus of the current year in Bengal alone would amount to 2,000,000 l. At home the company had a surplus sufficient to pay the present demand that was made upon them by government, and the debts in this country would be paid off by the year 1790, when he was decidedly of opinion that the debt in India ought to be brought by investments to England. The surplus at the lowest estimation would be sufficient for the purchase of the investment to China, and ought to be so employed. Mr. Dundas was satisfied, that India was the last quarter, in which a prudent enemy would wish to attack us. They would have to engage with a numerous army, and a large surplus, which in case of hostilities might be withdrawn from the purpose of the investment, and immediately applied to the service of the war. Our possessions in India were, properly considered, the brightest jewel in the British diadem, and deserved a proportionable attention from the public. The present measure would be a check upon all future governments in that country; and, by reports being made every year, the house would be informed of every increase of esta-

blishment, and be able immediately to bring to account the governor by whom it was made. The patronage of the East ought to be watched with a jealous eye, and, unless parliament exerted itself for that purpose, they would not do justice to their constituents. Mr. Dundas concluded with moving propositions respecting the state of the revenues of our Indian territory in the form of resolutions.

Mr. Francis ridiculed the species of consolation, which had been suggested to the house by Mr. Dundas. One part of that consolation was, that the company was nine millions in debt in Bengal, which was taking it higher than it had ever been put by Mr. Francis. He asserted, that there was no surplus, but on the contrary a considerable excess of expenditure, and he undertook to prove this from the accounts before the house. But, if there had been a surplus, to adopt the proposition of taking a million annually out of Bengal, would be in the highest degree unwise, considering the very small quantity of specie in circulation. Better would it be to seize Bengal, and dash it at once into the ocean, than to attempt a proceeding so absurd and preposterous. Mr. Francis's observations occasioned some altercation of a personal nature between him and Mr. Grenville. Mr. Burke acknowledged, that we had no reason to dread any enemy in India, unless they were joined and supported by an European ally. Among other symptoms of the ill state of that country, he spoke of the increased circulation of paper in Bengal at a large discount, and asked if it were true, that the company paid their officers with paper, which they refused to receive back in payment themselves? Mr. Burke would

would not admit that our provinces in India were more flourishing than any others; though, if they had been so, it would not have been wonderful, since they were the finest and most fertile parts of the country, while many of the neighbouring districts, Berar for instance, were covered with immense mountains and uncultivated forests. But let it not be the boast of the minister for India, that the British provinces were more flourishing than the kingdom of Berar; let it be his triumph to say, that the natives lived as happy, that the soil was as productive, and the revenues as ample, under the British government, as under the native princes, whom we had succeeded. The resolutions were carried without a division.

On the twenty-sixth of April Mr. Pitt presented to the house of commons a bill, stating, that notorious frauds had been committed in the collection of the tax on post horses, and providing that the tax should be farmed, as a remedy to the evil. He observed, that every individual, who by law was liable to the tax, did in fact pay it; and that of course a very great sum was levied on the public, though there was a large proportion of that sum, which, from the collusion between the collectors and the inn keepers, never found its way into the exchequer. To the remedy he had to suggest there could in point of revenue be no possible objection, since the several districts were to be put up to public auction, and that at the present amount received in each, at the highest rate it had ever produced; and, as doubtless there would be many candidates, they would rise one upon the other, till they brought in nearly as much, as might be expected to be their

full value. He had heard it objected, that there was something in the principle of such an establishment, repugnant to our constitution, and to the general system of our revenue; but he could see no well founded reason for such an idea. Such a principle indeed prevailed in some countries, where the government was arbitrary and despotic; but the oppressions, which there attended it, were not to be attributed to the system of farming the revenues, but to the form of government. As the duty at present stood, there were certain powers given for the collection of it; and the powers he proposed to give to the farmer, were no greater, than those which already existed in the established hands. The measure in contemplation was not an innovation; and to prove this Mr. Pitt referred to the turnpike duty, which was usually conducted by the mode of farm, and to the cross posts, which had for many years been leased out to the gentleman, who first suggested them. Mr Pitt added, that there was no reason to apprehend, that the proposal might be extended farther, and other branches of the revenue subjected to a similar regulation, as there was something in this tax, which rendered it peculiarly proper to be put under that system, and which hardly existed in any other case.

Mr. Marham affirmed, that he did not imagine that he had at any time discharged his duty more properly, than in objecting to a mode of collecting the public revenue, so repugnant to the principles and practice of the constitution. He took a view of the returns of the tax for the last four quarters, and remarked, that from thence it appeared, that the tax was a growing tax, since the last quarter's pro-

duce exceeded the produce of the same quarter in the former year by the sum of 9,000 l. He asked, had the board of revenue, in whose hands the management of the tax was vested, presented any memorial to the treasury, stating, that the produce of the tax was declining, and that such a regulation, as the bill enacted, appeared to them to be necessary? Mr. Marsham admitted, that it did not appear, that the suffering the post-horse tax to be farmed would prove the source of much abuse or oppression; but it established the mode of farming the public revenue, and in future times might justify a wicked minister in the grossest violation of the constitution. All bad practices had been grounded upon precedents, most of them introduced upon plausible reasons, and where the ground of objection was weak in almost every other instance, but that of the propriety of guarding against the encroachment of mischief.

Mr. Ballard conceived, that some proof ought to have been laid before the house, that the frauds charged by the minister did actually exist, before such a bill as the present had been introduced, and that an authentic return should have been made of the number of horses kept by the various innkeepers in the kingdom, with a computation of the number of miles they might be supposed to travel. Mr. Pitt had said, that the public paid the tax individually, but, when paid, it did not find its way into the exchequer. If the fact were so, it only proved, that the board, to whose management the collection of the tax was intrusted, was not sufficiently alert, and that they ought to find means for remedying a neglect, which lay wholly with themselves. He observed upon the

late increase of the tax, and asked whether on that account it would not be better to postpone the measure, and to suffer the public, rather than the farmer, to benefit by the progress of that increase? By a clause in the bill he saw, that these contractors were not to be deprived of their votes. This was the tree, whose fruit the ministry desired to pluck; but he hoped the house would blast that fruit in its bud. Mr. Ballard added, that, in adopting this measure, the executive government was giving up its responsibility, and that, which was the last thing they should part with, the power of redress. Provided the subject were aggrieved, and complained to that house, what was the answer they would be obliged to return? They must say we have tied our hands; we have given away for three years the power of watching for your welfare; we can do nothing till the contract is expired. Still farther, the qualifications of the contractors made no part of the bill. No matter how bad their characters, provided they gave sufficient bail. He recollected an oriental observation, which came home to this point. It was complained, that the character of one of the Indian contractors was notoriously infamous; and what was the answer? Why the less humane was the collector, the fitter he was for his office; and who knew, but that Gunga Govind Sing might hereafter farm the imposts of Englishmen?

Mr. Fox was determined to oppose the bill, on the ground of its being certain, if carried, very considerably to increase the influence of the crown. The number of the collectors must be considerably enlarged, and the appointment of so many new officers would give the crown

crown additional influence. Every man, who had lived through the existence of a war, knew what a contractor was; and did not every man know, how improper the influence was that was circulated through them? The farmers of the revenue would be contractors under another name. Shameful was the idea of there being a middle man between the subject who paid the tax, and the exchequer that received it, a man, created for the purpose of growing rich out of the distresses, and at the expence of the public. The precedent was in the highest degree alarming, and required to be warmly resisted in the outset. Mr. Jolliffe remarked, that the produce of the post-horse tax increased annually, and for the last year had amounted to 114,000 l.; so that 456,000 l. had been expended in that mode of travelling only. The bill was opposed by Mr. Sheridan, Mr. Windham, lord Maitland, Mr. Wilbraham, sir Gregory Page Turner, Mr. Sloper, Mr. alderman Townsend, and Mr. Dempster. Its principle was vindicated by Mr. Grenville, Mr. Arden, Mr. Macdonald, Mr. Drake, Mr. Rolle, Mr. Addington, sir William Molesworth, sir Richard Hill, sir James Johnstone, sir Benjamin Hamer, sir John Miller, Mr. Powys and Mr. Martin. The house divided upon the second reading, ayes 162, noes 95; and upon the question for going into a committee, ayes 147, noes 100. The principle of the bill was also debated in the house of lords on the twenty-first of May, when the speakers against the measure were the duke of Norfolk, lord Portchester, lord Carlisle and lord Stormont; and its defenders lord Hope-town, lord Townshend and lord

Hawkebury. It passed through the usual stages without a division.

As it is one of the principal objects of such a narrative as ours, to record those features and characteristic circumstances, which distinguish one year and one session of parliament from another, it would be improper that we should omit to observe, that the session of which we are treating had the honour to bring forward to public notice two young men, Mr. Charles Grey and Mr. William Lambton, of the most distinguished abilities and the most promising genius. The sentiments of Mr. Grey upon the commercial treaty we have already recorded; and we shall have occasion to bestow upon him a farther notice in the course of the present volume. Mr. Lambton was among the opposers of the bill for farming the revenue of the post-horse tax. But the subject, upon which he had first offered himself to the attention of the house of commons, and upon which he spoke with greater compass and strength, was the motion, of Mr. Fox on the twenty-fourth of April, for the repeal of the tax upon retail shops.

Upon this occasion Mr. Fox stated, among other arguments, an account of the proportions in which the shop tax was assessed. The whole revenue produced was 59,000 l.; 17,000 l. of which were paid by the city of Westminster, 12,000 l. by the city of London, and 12,000 l. by the adjacent villages, such as Marybone, High Holborn, and Wapping; and he asked, whether forty-three shares for the metropolis out of fifty-nine, were not so monstrous a disproportion, that every man who heard it must be startled, and feel a conviction, that the tax was most partial and unjust

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In its operation? Mr. Lambton, who followed Mr. Fox, confessed his inability to resist the alluring opportunity of opening his lips for the first time within those walls, with a remonstrance against a partial, oppressive and unjust measure; for such was the tax in question. The reasonings of Mr. Fox appeared to him perfectly clear and demonstrative; and the petitions or the instructions of the shopkeepers of London and Westminster, who paid in a manner the whole of the tax, were, independently of all the aid of rhetoric, irresistible. But he did not wonder, that such arguments were treated with levity by Mr. Pitt, who had commenced his career with the utmost disregard and contempt for the majority of the representatives of Great Britain. If, in these times of general tranquillity and peace, the people must labour under taxes, partial, unjust, and oppressive, how dismal must be the prospect they would figure to themselves in the case of a future war? He would repeat it: in the case of a future war? for he was not infected with the new fashioned Gallomania, which so strongly possessed the ruling party in this country. He could not be so sanguine, as to imagine the age of innocence to be restored, or to regard a long and uninterrupted series of peaceful years, as one of the many golden advantages to be derived from our new commercial connection. If then he were to calculate upon the chance of future hostilities, he should for himself expect, to see his majesty's chancellor of the exchequer assuming and exercising the tyrannical power of a late governor-general of Bengal, and Great Britain exhibiting a scene of Oriental extortion and persecu-

tion. Mr. Lambton concluded with intreating the minister, not to remain thus obstinately wedded to his own opinions, but to give this one instance of condescension. Such an act would only be stooping, if it could be called stooping, to rise the higher; and he might be assured, that, by adopting it, far from forfeiting any reputation, he would considerably add to his character and popularity. The house divided upon Mr. Fox's motion, ayes 147, noes 183.

On the seventh of May Mr. Pitt moved a resolution in the committee of ways and means, for imposing the additional duty, which he had formerly suggested to the house, upon the licences of the retailers in spirituous liquors. The rates he proposed were from two pounds per annum to five pounds four shillings, in proportion to the different rents of the houses. The produce of this additional tax he estimated at 80,000*l*.

A bill was introduced by administration, so early as the second of February, for amending and rendering more effectual the laws for suppressing unlawful lotteries; and the object of the bill was stated by Mr. Rose, to be the removal of the jurisdiction at present lodged in the justices of the peace, and the vesting it in the judges of the courts of Westminster. The reason of this change, he stated, to be the general evasion of the penalties, which was now practised. The process generally issued, directed the goods of the offender to be distrained upon his premises, and the offender had nothing to do, but to remove from Westminster into the city, or from the city into Westminster, in order to defy the power of the magistrate. There was also a clause in the bill, by

by which the insurance of whole tickets was permitted to their immediate proprietors, while all other kinds of insurance upon lotteries were forbidden. This clause was warmly opposed by Mr. alderman Newnham, Mr. alderman Townsend, Mr. Dempster, Mr. Francis, Sir Grey Cooper, and Mr. Fox. By the latter it was remarked, that, while it was the professed object of the bill to discourage gaming, it did that which no other act of parliament had ever done, and by legalizing one species of insurance, opened a door to a thousand evasions. He must also observe, that the passing such a bill as the present, just upon the eve of drawing the lottery, had a very unseemly appearance, and gave rise to a good deal of suspicion. In the mean time the public would reap no advantage from the consequent increase of the price of tickets, since they had long ago made their bargain, and received all they could gain. The house divided upon the clause, ayes, in favour of its making part of the bill, 126, noes 97.

The same kind of debate was repeated upon this bill in the house of lords, when the contested clause was opposed by lord Derby and lord Carlisle, and defended by the earl of Hopetoun. Lord Sydney in reply to the imputation of a collusion, which had been insinuated against ministers, said, that he was acquainted with no gamblers, and thanked his God that he never associated with that description of men, let their rank or situation in life be ever so high. Lord Stormont congratulated lord Sydney upon the virtuous circle of his acquaintance, but observed that it must be very confined, if it excluded every man who made a bet above ten pounds; and exempted

that nobleman from the society of some of the first, and most of the greatest characters in Europe. Lord Thurlow remarked, that a plain state of the question would show, that the provision was built upon the primary notions of justice. It was simply, whether a person, who had embarked a part of his fortune in any particular contingency, was to be admitted to the liberty of insuring it against the hazards arising from such a situation. He could not conceive any reason, why a toleration or a legal authority should be given to one set of individuals in certain instances of contingency, and refused to others in similar instances. He entered into the history of lotteries, remarking upon the different degrees of caprice with which they had been treated at different periods; and observed, that the transaction of insurance had not been declared illegal till the year 1782. Lord Loughborough replied to lord Thurlow. He contended, that there was no resemblance between the insurance of merchandize and that which was authorized by the present bill. In the former every precaution was exerted by the law, that the insurer should be paid in exact proportion to the loss he had sustained. But was there any provision in the present bill for that purpose? On the contrary, gaming was legalized in the utmost extent. Every person holding a ticket might open a policy upon it, and by insuring it over and over again, might derive the most multiplied and disproportioned advantages. The debate concluded with an amendment moved by lord Thurlow, that every insured ticket should be deposited in some place, to be appointed by the commissioners of the lottery for that purpose. The bill was returned

to the commons; and, being rejected in conformity to the usage of that house, which did not admit the lords to make amendments in a money bill, was again introduced as a new bill, and passed into a law.

The subject of the alteration of the *mutiny* bill, which had been made in the preceding year in order to include officers by brevet in the operation of military law, was revived as a topic of debate in the present year, and received an ample discussion in both houses. It was now acknowledged, that officers on half pay were not intended to be included, the contrary of which was represented by opposition as resulting from the strict construction of the clause; and it was argued, that there was no just ground of distinction between them and brevet officers. The clause was opposed in the house of commons by colonel Fitzpatrick, sir James Erskine, Mr. Jolliffe, Mr. Francis and Mr. Fox; and was defended by sir Charles Gould, sir George Yonge, and sir George Howard. Upon a division the numbers appeared, ayes 73, noes 25.

It was argued by lord Thurlow in the house of lords, that the clause did not in reality amount to an alteration of the *mutiny* bill. Previously to the opinion, lately delivered by the judges in the case of general Ross, martial law had been understood to extend to officers holding commissions by brevet. The bill therefore did nothing more, than declare that expressly to be law, which had been understood to be the law before. Lord Loughborough controverted this position. In the case of general Ross, no man could have shown a stronger wish to have his conduct investigated, and who had started

the difficulty? Not general Ross, not any member of the long robe; but the members of the court martial themselves. Their knowledge of the customs and usage of their own profession suggested the difficulty, and upon that the question had come before the judges. As one of them, he had delivered his opinion, the unanimous opinion of all; and, after he had delivered it, he had heard from an infinite number of officers, that they should have been exceedingly surprised, had the decision been other than it was. The clause was opposed by lord Stormont, lord Portchester, and lord Rawdon; and vindicated by lord Sydney, lord Hawkebury, and the duke of Richmond. It was carried without a division.

On the twenty-sixth of March lord Rawdon called the attention of the house of lords to the convention with Spain of the sixteenth of July 1786, and moved, as a resolution, that it did not meet the favourable opinion of that house. The article, upon which he animadverted, was that, by which the British possessions upon the Mosquito shore were surrendered, in exchange for a small tract of land upon the bay of Honduras. He asserted, that we certainly could have made a better bargain, than to have ceded to Spain a tract of land, at least as large as the whole kingdom of Portugal, which yielded us cotton, indigo, logwood and sugar, in exchange for a liberty to cut logwood, and a scanty settlement of twelve miles in extent. Indeed it was not only injurious and degrading to the nation, but it was an act of ingratitude to the British subjects there, to whom we had long afforded protection, and from whom we had received in return every mark of respect and assistance they could give.

give. These inhabitants were delivered up to their old implacable enemy, who had, it was true, promised, that he would not punish or maltreat them for their past friendship to Great Britain; a wretched return of gratitude on our part, to a people, that we were bound to support by every tie of honour, and every principle of justice. He added, that ministers would have exhibited a much sounder policy, if they had sent our transported convicts to the Mosquito shore, than by adopting the brilliant and romantic scheme of sending them to the antipodes, where they could be of no use at all.

The marquis of Carmarthen in reply to lord Rawdon observed, that he was the minister most particularly and personally responsible for the convention, nor would he shrink from any blame that could justly be imputed to it. He added, that he could easily exhibit a strong and sufficient ground of justification, if the discretion, due from men in high executive offices, did not teach them, rather to risk their own character, and to be contented with a consciousness of their innocence, than to resort to a disclosure of facts, which it was necessary to the national safety, and to the continuance of the public tranquillity should be kept concealed. Lord Carlisle could not agree, that it was right to contend in that house for the value of the trade carried on through the Mosquito shore, if it were really, what he feared it must be acknowledged to be, nothing more than a smuggling trade upon the Spaniards and their settlements. There was also so much to be said for the discretion, which ministers were bound to exercise in relation to some parts of their conduct, that, where that was seriously pleaded,

he thought credit ought to be given them for the having had other, and much stronger reasons for what they had done, than appeared upon the face of the transaction. But there was a part of the convention, that by which the inhabitants were deserted, and surrendered without their consent into the hands of their enemy, which he conceived to be a just ground of censure. There could be no secret reason for such a mortifying sacrifice of the spirit of this country, and on that ground he should vote for the motion.

Lord Thurlow had expected more accuracy of description in point of geographical character, in a debate of this nature. The Mosquito shore had been talked of as a tract of country, extending between four and five hundred miles; without the least mention of the swamps and morasses with which it was interspersed. With regard to settlement, it had possessed neither a regular government, a formal council, nor established laws. A detachment of soldiers had been landed from the island of Jamaica, who erected fortifications, which were afterwards by order of the government at home, given up and abandoned. He instanced the transactions upon the subject in the peace of Paris of 1763, when governor Littleton presided at Jamaica, and observed that we had given a fresh proof in 1777 of our having renounced all claim upon the country, when lord George Germaine sent out Mr. Lawrie to the Mosquito shore, to see that the stipulations with Spain were fully carried into execution. Lord Thurlow concluded, that the Mosquitos were not our allies, or a people, whom we were bound by treaty to protect; and that the number of British subjects, according to the last report,

report, had amounted only to a hundred and twenty men, and sixteen women. The motion was farther supported by lord Stormont,

and opposed by the duke of Richmond; and the house having divided, the numbers appeared, contents 17, not contents 53.

CHAPTER VI.

Determinations on the Scottish Peerage. India Affairs. Motion for a Repeal of the Test. Insolvent Bill. Establishment of the Prince of Wales. Inquiry into the Post-Office.

HAVING related in the two preceding chapters those transactions of the present session, which originated in the measures of government, that which remains for us is a view of those questions of policy, whether successful or otherwise, which were brought under the consideration of parliament by persons not connected with, or forming a part of administration. The topics, which fall under this description, are both numerous and important, which is partly to be ascribed to the uncommon ability, assiduity and spirit of those persons, who took a lead in the present opposition.

On the thirteenth of February a question was submitted to the consideration of the house of lords by viscount Stormont, originating in the creation of peers during the preceding summer, when the earl of Abercorn and the duke of Queensberry, peers of the kingdom of Scotland, had been called to the dignity of the English peerage, by the titles of viscount Hamilton and baron Douglas, notwithstanding which they continued to sit as representatives of the peerage of Scotland. Lord Stormont laid it down as an incontrovertible position, that the

right of representation had been given to the Scottish peers, as a consideration for the loss of an hereditary seat in parliament. Those, who no longer suffered the loss, could therefore no longer be entitled to a share in the compensation. He read a resolution of the house of lords voted in January 1709, by which it was declared, "that a peer of Scotland, sitting in the parliament of Great Britain by virtue of a patent passed since the union, had no right to vote in the election of the sixteen peers of Scotland." The two noblemen in question confessedly stood in the situation to which the resolution applied; and he who had not a right to vote, a fortiori, could not be elected. Lord Stormont expatiated upon this determination, which, he said, was as solemn and deliberate, as any which stood on the records of parliament. It passed at a time, when all that related to the union was fresh in the memory of every man, and when the true meaning and intention of that great treaty was generally known. It passed in the presence of many, who had been commissioners on both sides, actors in that great scene; and the journals shewed that there

there was not a single protest. It had been constantly acted upon, unquestioned and unshaken, for fourscore years. Such a precedent had all the weight and authority, that could belong to any precedent; and powerful indeed would be its authority upon the mind of every man, who knew the mischiefs of fluctuation, and the numberless benefits which arose from certainty of law, and uniformity of decision.

Lord Stormont examined the case of the duke of Athol, upon whom an English honour had devolved in 1736, and who had continued to sit in parliament as duke of Athol and baron Strange. He observed, that there had never been any decision, or even the smallest discussion upon the subject. It probably was thought a thing of little consequence, as there was very little chance, that a similar case, that of an old English honour devolving upon a Scottish peer, should ever happen again. The peerage of Scotland was then smarting under the wound, which the rash and violent hand of party gave in the case of the duke of Brandon in 1711. But the case was different now; the Scottish peers had lately been restored to their rights, and the royal favour might flow as freely in that, as in any other channel. He was persuaded, that the same fairness and liberality of sentiment, which had governed upon that occasion, would now with equal force plead the justice of the cause.

Lord Stormont concluded with an appeal to the honour and the feelings of the house. He hoped they would keep in constant remembrance, that, before an event so beneficial as the union could take place, the peers of Scotland had great difficulties to conquer. For the attainment of that desirable end

they had made as large a sacrifice, as ever was made by men. Had they retained their hereditary seat in parliament at the expence of half their property, they had made a happy and a noble exchange. No man deserved an hereditary seat in the great council of a free nation, who did not consider it as the first of all rights, the most valuable of all possessions. That right, that inestimable possession, for reasons of public utility their ancestors had been contented to forego. They did that, which had ever been counted a mark of exalted virtue. They chose rather to be little in a great state, than great in a small one. Deciding on the rights of the descendants of men so circumstanced, the house would be disposed, rather to extend, than to diminish them. But they asked no extension; all they desired was, that the house would not, in contradiction to the clear and obvious meaning of the agreement, abridge their rights, and curtail the slender compensation allotted them, for the greatest loss that men who had any dignity could sustain. Lord Stormont then moved, "that the earl of Abercorn and the duke of Queensberry, who had been chosen of the number of the sixteen peers, having been created peers of Great Britain, thereby ceased to sit in that house as representatives of the peerage of Scotland."

The bishop of Landaff declared, that, had the question appeared to him to have been of nice legal discussion, he would not have presumed to trouble the house with any sentiments of his upon the subject; but he was satisfied, that a moderate portion of plain common sense was equal to its comprehension. The king had been pleased to bestow English honours upon

two Scottish peers. This he conceived to be an infraction of the treaty of union; but then it was an infraction on the part of England, as the honours were English. Scotland consequently could not find fault, nor did he mean to complain. On the contrary he thought it extremely right, that the sovereign should call up to that house peers of Scotland, descended from old and honourable families, and who could add the lustre of ancestry to their other eminent qualifications. For, whatever might be said of ancestry, no man despised it, but he who had none to value himself upon, and no man made it his pride, but he who had nothing better. Doctor Watson entirely coincided with the arguments of lord Stormont, and put an extreme case, in order to remove the possibility of a doubt. He asked, if the queen, when the act of union was first passed, had chosen to create the whole sixteen peers British dukes, was there one man, who in that case would have denied, that the spirit of the act of union was visibly superseded?

Lord Thurlow conjured the house to consider, how much their honour and their character depended upon their present decision; and called to their recollection the degree of rankness and corruption, to which the tribunal of the house of commons had arrived, previously to the passing of Mr. Grenville's bill. In his opinion they were not to listen to arguments, grounded on the supposed or real inconvenience, that would result to this or to that set of men, nor were they entitled to consider, what the act of parliament should have been, but what it was. They were bound to abide by the letter, and religiously to comply with its re-

quisitions. Lord Loughborough maintained, that this strict mode of construction was not to be applied but to penal statutes. In all other cases the spirit and the intention of the law were guides to the true interpretation. The motion of lord Stormont was further opposed by lord Morton, and supported by the earls of Hopetoun and Fauconberg. Upon a division the numbers were, contents 52, not contents 38.

A second debate upon the subject of the Scottish peerage was occasioned by the election of the earl of Selkirk and lord Kinnaird to represent the peerage of Scotland, in the room of the duke of Queensberry and the earl of Abercorn. Upon this occasion the dukes of Queensberry and Gordon had given their votes as peers of Scotland, which was contrary to the tenour of the resolution of the house of lords of January 1709. The subject was brought forward as a topic of discussion on the eighteenth of May by the earl of Hopetoun, by whom it was moved, that a copy of that resolution should be transmitted to the lord register of Scotland, as a rule for his future proceedings in cases of election.

The motion was opposed by lord Thurlow. He exhorted the house not to proceed precipitately and suddenly, to decide a question of much greater importance, than at first sight it might appear to be. A resolution of either house of parliament, however unanimously carried, did not constitute law. Nothing was entitled to that description, but what had passed both houses in the exercise of their legislative functions; and received the assent of the crown in the form of an act of parliament. The house was now called upon in their judicial

dicial capacity, to redeliver a judgment they had formerly given. There was no new case before them, and it was diametrically contrary to the practice of every, even the lowest court of justice in the kingdom, to repeat a judgment, unless in consequence of some circumstance that made it evidently necessary. Lord Thurlow called the attention of the house to the resolution of 1711, which had declared two Scottish dukes, recently created British peers, incapable of sitting in the house in their new character. This resolution was undoubtedly a great hardship, and had lately been abolished: but how? Not by a resolution, but by an act of parliament. In like manner, if, upon mature consideration, it should be thought right to make the resolution of 1709 effectual, let it be done by due course of parliamentary proceeding; but by no means let the house, acting judicially, decide a matter that involved in it the private rights of individuals. In the present case the duke of Queensberry was present, and desired to be heard by counsel; the duke of Gordon was actually out of the kingdom, and totally uninformed of the transaction. Lord Thurlow asked, where was a precedent to be found for such a proceeding as that which was now recommended? If it were of so simple and warrantable a nature as had been represented, how happened it, that it had never entered into the head of any member of the house of commons, when an election contest was decided, to move to send down the ground of the decision to the returning officer? Lord Thurlow had seen outlines of a bill for the better regulating the election of the peers of Scotland, and he could wish that some

1787.

such bill were brought forward. Whenever the question, respecting the right of a Scottish peer, who had been created a British peer by patent, to vote in these elections, came to be ultimately decided, there were other important considerations to be decided at the same time. Suppose a Scottish peer to be made a bishop, did that deprive him of his right of voting? When a Scottish peer was advanced to the English peerage, why ought his sons to be deemed ineligible to sit in the other house? Was the office of lord register purely judicial, or purely ministerial? These and a variety of other questions, intimately connected with the resolution, convinced him, that it was better to take up the subject gravely upon a comprehensive scale, than to decide upon it in the desultory and unconnected manner that was now proposed.

Lord Kinnaird agreed with lord Thurlow, that a resolution of that house would not constitute law, but he could not help believing, that a solemn construction of the existing statutes by the only court of judicature, before which the subject could be agitated, entitled him to assert that to be law, respecting which he might otherwise have entertained a doubt. Much praise was due to the accuracy, with which the statute of union had been drawn; yet it was not very extraordinary, that the first election in 1708 should have given birth to a great variety of questions, respecting the construction of that act, and the regulations of the election. Accordingly a petition was presented to the house complaining of many irregularities; and the lords, anxious to preclude the possibility of future cavil, adopted a mode, the most suited to

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their own dignity and the solemnity of the proceeding, and the best calculated to effect the object they had in view. A string of abstract questions were stated, and, counsel having been heard upon them, the lords came to a solemn determination upon each, and then ordered a committee to decide upon the votes in the late election, according to the application of those resolutions. The resolution, which was now under discussion, was one of these, and the only one, which had been attempted to be infringed in a series of fourscore years.

Viscount Stormont owned, that he had been a little astonished to have heard it said, that there was no precedent for their transmitting their resolutions to a returning officer. So lately as the year 1762 several persons had attempted to vote at the election of the sixteen peers, whose pretensions had not been authentically recognized; and the lords, having come to several votes upon the subject, followed them with an order, that copies of all the preceding resolutions should be transmitted to the lord register of Scotland. Earl Stanhope quoted the opinion of sir George Savile, to prove, that the right of voting for parliamentary representation was a public right, vested in the individual as a trust, to be exercised by him for the benefit of the community. If, as that great man had observed, it had been a private right, the individual possessing it might publicly sell it, just as he might dispose of any part of his private property. But the fact was otherwise, and he was forbidden to sell it under penalty of a severe punishment. The earl of Denbigh remarked, that the whole question had been much mis-

understood. The case did not stand upon a resolution, but upon something stronger. In consequence of the resolution of 1709 the lords had ordered the clerk of parliament at the bar of the house, to erase the name of the marquis of Lothian from the return of the Scottish peers, and to insert that of the marquis of Annandale. By this act the resolution was completely made the law of parliament. The motion of lord Hopetoun was farther defended by the marquis of Carmarthen, and opposed by the earl of Morton, the duke of Richmond, and lord Sydney. At length the house divided, contents 51, not contents 35.

A petition was presented to the house of commons on the first of February by Mr. Dampster, from the British inhabitants of Fort William in Bengal, complaining of the oppressive nature of Mr. Pitt's East India bill of 1784, and praying that certain clauses of that bill might be repealed. This was accompanied with a petition from the agents of those inhabitants, desiring to be heard by counsel in support of that petition. Their request was taken into the consideration of the house of commons on the twentieth of that month, when a debate arose upon the question, whether a compliance with the desire of the petitioners was consistent with the orders and practices of parliament. The speaker intimated his desire that some precedent might be produced, or, if that could not be done, urged the house to act with caution and deliberation, previously to their establishing a new precedent. Mr. Burke and sir James Erskine undertook to remove this objection. It was the indubitable right of Englishmen to be heard against any act, that might menace the

the diminution of their privileges. It could not therefore be consistent with justice, to refuse to the petitioners the being heard by counsel against a bill, which had passed into a law, previously to their knowledge of any such law being intended, and against which the remoteness of their situation prevented an earlier appeal. The present was a new case, and therefore old precedents should not be brought against it. Precedents should be followed as long as they were supported by reason; but technical rules should not be suffered to interfere with the principles of eternal justice.

Mr. Dundas remarked, that the law had been materially altered since the date of the petition, and that it would therefore be proper to wait a little longer, to learn the sentiments of those, who had signed it, upon that alteration. It was an act, he averred, to which no honest man could have an objection. He had it from good authority, that many, who had signed the petition, had done so without the knowledge of its contents; they had signed it from intreaty or from false representation. But, independently of these considerations, there was an objection, which he thought of great importance; which was, that out of eight hundred persons signing the petition, there were seven hundred soldiers with arms in their hands. If any body of soldiers in this country were to insist upon a redress of their complaints, would they obtain a hearing from the house of commons? Mr. Dundas admitted the propriety of Mr. Burke's distinction, and hoped the house would grant the petitioners the hearing they prayed for, as it would give him an opportunity of vindicating the bills,

which he was happy to have had a share in forming. At length counsel were admitted on the part of the petitioners; but, Mr. Dempster having thought proper to postpone his motion for leave to bring in a bill to explain and amend the India bills of 1784 and 1786, Mr. Pitt moved that the chairman should leave the chair; and, the motion being carried, the committee for hearing the Bengal petitioners was of course dissolved.

On the nineteenth of March Mr. Dempster brought forward his promised motion. He recapitulated the arguments, which had formerly been employed, against the partial abolition of the trial by jury; and he mentioned several other particulars, in which it would, in his opinion, be proper to alter the India bill of the preceding session. He recommended the institution of a supreme court of judicature at Madras in imitation of that which had been established at Calcutta. He observed, that, ever since the repeal of sir Elijah Impey, the whole weight of business of the supreme court had rested upon a single judge; and he conceived that a regulation was highly necessary, providing that every vacancy, whether temporary or permanent, should be supplied without delay. He urged the total repeal of the clause, authorising the governor general to imprison any person suspected of holding a correspondence with the princes, rajas, and zemindars detrimental to the interests of the company. It was a maxim he believed not to be controverted, that it was impossible for that government to be a good one, in which the people were not allowed to have a share; and he therefore wished a legislative council and a house of representatives to be established in

India. He complained of the clause, which deprived the company of the power of compounding with their servants, and he proposed to abolish all monopolies, particularly that of opium, of which he could prove the injurious tendency.

Many of the arguments of Mr. Dempster were enforced, and his motion supported by Mr. Francis and Mr. Burke. The speakers on the other side of the question were Mr. Macdonald and Mr. Pitt. Mr. Burke, attempting to speak a second time, and having been prevented, declared, that he meant to move a new question, the question of adjournment, as the house in its present temper was not fit to decide upon so important a question of policy, as that under consideration. He was again interrupted, and concluded with the remark, that he rose in support of the eternal principles of truth and justice, and that those who could not, or dared not support them, were endeavouring to cough them down. Mr. Dundas observed, that he did not wonder, if Mr. Burke insisted in so extraordinary a manner upon his privilege of moving a question of adjournment, that the house should insist upon its privilege of coughing. He was not the personal enemy of that gentleman; if he had, he should have wished him to have acted exactly as he had done that evening. The house divided upon the original question yeas 21, noes 128.

Another question upon the subject of India was brought forward by Mr. Dempster, and related to an order issued by the board of control, forbidding the servants of the company in India to correspond with their friends at home, in regard to the affairs of the East

India company. Mr. Dempster moved, that copies of these orders, and of the consequent notifications which had been made in India, should be laid before the house. Mr. Dundas undertook to illustrate the question, by reading the correspondence of the board of control and the court of directors upon the subject of the order in question. The court of directors had observed, that material intelligence had frequently been conveyed to them through the medium of private letters, of which no mention had been made in their official dispatches. In answer to this the board of control had stated, that they had made no new order, but had merely enforced orders of different dates between the years 1731 and 1759. Mr. Dundas added, that the matter, which the order was intended to guard against, was the transmission of secret advices from the confidential servants of the company. In reply to Mr. Dundas it was observed by Mr. Fox and Mr. Sheridan, that, under the idea of enforcing an order particularly confined to the confidential servants, an advantage had been taken by the board of control, and an order sent out, under the sanction of which all the company's servants had been generally interdicted from writing to their private friends at home any account or opinion of the affairs of the company transacting in India. With regard to persons in confidential office betraying secrets of state, there wanted no specific order to prevent that treachery. On the other hand the government had not yet been heard of, where men were restrained from freely communicating their sentiments upon public affairs to their friends. Mr. Pitt treated the motion, as an absurd attempt to re-lease

safe the confidential servants of the company in India from the duty of official secrecy. In reply to this imputation Mr. Dempster and Mr. Francis declared their knowledge, that the English in general in that country considered themselves as reduced to the most mortifying silence, in consequence of the notification in the Calcutta gazettee. The motion was farther supported by Mr. Burke, Mr. Sloper, sir James Erskine and Mr. Hussey, and opposed by lord Mulgrave and Mr. Baring. At length the house divided, ayes 20, noes 94.

A subject, which made a considerable figure in this session of parliament, and which became a topic of very general discussion, was a plan, formed by the delegates of the Protestant dissenters in London, for amending and in part repealing the laws, known by the appellation of the corporation and test acts. The mode they adopted was not that of a direct application by petition; but, having first published and dispersed what they styled, the Case of the Protestant Dissenters with Reference to the Corporation and Test Acts, they engaged a respectable member of parliament, Mr. Beaufoy, to move, that the house should resolve itself into a committee to consider of those acts. The discussion of the subject took place on the twenty-eighth of March.

Mr. Beaufoy, who opened the subject, proposed in the first place to state what were the exceptionable provisions of the law, and in the next place to describe the periods in which those laws were made, and the circumstances with which they were attended. The corporation act declared, that no person should be elected into any

municipal office, who should not, within one year before his election, have taken the sacrament according to the usage of the church of England. The test act required of every person, accepting a civil office, or a commission in the army or navy, to take the sacrament within a limited time; and if, without thus qualifying himself, he continued to occupy any office, or hold any commission, he not only incurred a large pecuniary penalty, but was disabled from thenceforth for ever, from bringing any action in course of law, from prosecuting any suit in the courts of equity, from being the guardian of any child, or the executor of any deceased person, and from the receiving any legacy. If then, said Mr. Beaufoy, the zeal of a dissenter for the service of his country, should have induced him to bear arms in her defence, and to hazard his life in her cause, what return did she make to his patriotism? She stripped him of every right, that was dear to the man, or honourable to the citizen. If any dissenter applied himself to the profession of a merchant, what was the language in which he was addressed by these laws: "The town, in which you live, may have owed to you much of its prosperity; yet in the offices of that town, the management of its revenues, and the care of its public concerns you shall have no participation.—The kingdom itself is largely your debtor; you have extended her trade; you have added to her wealth; and in return for these benefactions she excludes you from all offices and employments. Your integrity is unsuspected; your conduct is without blemish; yet the test act has fixed upon you the same stamp of dishonour, the same

mark of rejection and infamy, which is annexed by law to the odious and atrocious crime of perjury."

Of the spirit of the corporation act a sufficient judgment would be made, if the house recollected, that a clause of this act had enabled the king, king Charles the Second, to displace or remove, by commissioners of his appointment, all officers, and persons holding places, as they might deem it expedient. This clause of the bill was become obsolete; but it sufficiently marked the despotic and arbitrary spirit in which the bill had been formed. Such were the circumstances, that marked the origin of the corporation act in the year 1661, and in the following year had produced the celebrated act of uniformity, in consequence of which two thousand ministers resigned their livings, and which narrowed, while it strongly discriminated, the inclosure of the established church. The first effects of this discrimination upon the members of the church were jealousy, eager suspicion and determined ill will. But, in proportion as experience afforded a surer ground for deciding on the conduct and principles of the dissenters, in proportion as their peaceful submission to laws of harshness and severity disclosed their attachment to the state, and as they were seen to reject those offers of liberal advantage, by which the court endeavoured to entice them to an alliance with the Catholics; in that proportion the hostile feelings of the members of the established church diminished, and the house of commons in particular discovered towards them a disposition of benignity and kindness.

Such was the state of affairs in the year 1672, when the people

were alarmed with the apprehension of a design to subvert the established religion. The prime minister, lord Clifford, and the king's brother were avowed Catholics; an army under catholic officers encamped at the gates of London. In these alarming circumstances the first panic induced the legislature to pass the law, that bore the title of an Act for Preventing the Dangers which may happen from Popish Recusants, but which was better known by the name of the test act. The minister attempted to prevail on the dissenters to oppose the bill, the provisions of which were so worded as to extend to them. The dissenters admitted the force of the argument, but waved their right to its benefit; and one of the members of the city of London, himself a dissenter, declared on their behalf, that, in a time of public danger, they would not impede the progress of a bill, which was thought essential to the safety of the kingdom, but would trust to the good faith, the justice and humanity of parliament, that a future provision should be made for their relief. The lords, and commons admitted without hesitation the equity of the claim. They considered the debt as a debt of honour, the payment of which could not be refused. Accordingly a bill for their relief was passed, and defeated by the sudden prorogation of parliament. A second bill was brought in with a view to the same object, and passed both houses, in consequence of this implied compact. But, while it lay ready for the royal assent, king Charles the Second, who always delighted to obtain the most unwarrantable ends by the most despicable means, prevailed upon the clerk of the crown to steal the bill, and over-reach the par-

parliament. But that relief, which neither the obvious equity of their claim, nor the countenance of his parliament could extort from Charles the second, the magnanimity of William the Third was impatient to bestow; for, in one of his earliest speeches from the throne, he expressed his earnest hope, that such alterations would be made in the laws, as would leave room for the admission of all his Protestant subjects who were willing to serve him. But it was well known, that during that reign the strongest party in parliament was not the party of the court. They resented the advancement of William to the throne; they resolved to disturb his enjoyment of a possession from which they could not exclude him, and opposed with violence the measures which he was known to patronize. Some men however there were, and of the foremost rank for greatness of character even in that extraordinary era, who supported with unanswerable reasons the sentiments of their sovereign, as appeared from a protest of the lords upon this subject in the year 1688. Upon another occasion of a still later date, a conference between the two houses upon the bill of occasional conformity, the peers—not a few individuals of that assembly, but the whole house,—expressed in language still more emphatical their abhorrence of the injustice of the test act.

Mr. Baufoy proceeded to enquire, whether the public good, either political or religious, rendered it necessary, that the dissenters should be excluded from the service of the state. To show how very unnecessary was this exclusion, it was sufficient in his own opinion to remark, that to the higher trust of legislative authority the dissenters

were admitted without hesitation or reserve. From the members of that house, from the members of the house of peers, no religious test was required. Was then the taking the sacrament unnecessary in the legislators of the kingdom, and could it be requisite in a tide-waiter or an exciseman? He had heard of an idle opinion, that there was something of a republican tendency of an antimonarchical bias in the very doctrines of the presbyterian church. From so vague an assertion he appealed to experience. Were the Scots suspected of an indifference to monarchy? He had heard them taxed with a predilection for those maxims of policy which were the most favourable to power; but of levelling principles, of republican attachments, he had never heard them accused. The English dissenters since the revolution, which had first given this country a constitution, had uniformly acted on principles the most beneficial, and had constantly proved themselves the ardent supporters and the faithful adherents of that system of monarchy which was established by law.

Would then the repeal of the test act prove injurious to the established church? That church it was said ought by all means to be supported; and God forbid that it should be destroyed, or that he should advise a measure injurious to its safety. If the aim of the dissenters had been to attack the rights of others, and not to recover their own, they would not have chosen a member of the church of England for their advocate, nor could he have accepted such a trust. The suggested repeal was not the commencement of a new plan, but the completion of that wise system of toleration, which in part had long

since been adopted. The establishment of the church of England consisted in her tithes, her prebends, her deaneries, and her bishoprics. These constituted her establishment before the test act had an existence; and they would equally constitute it if it were repealed. In Scotland no such law ever had a being; and had Scotland no established church? In Ireland the relief, which was now solicited for the Protestant dissenters, was granted seven years ago; and was the church of Ireland destroyed? In Holland, in Russia, in Prussia, in Hanover, no traces of such a test were to be found. In the dominions of the emperor all civil disqualifications on account of religious opinions were abolished. In France a similar relief was granted by the edict of Nantes, and that edict, it was reported, was about to be revived. Mr. Beaufoy added, that the repeal of the test act, so far from being pernicious to the established church, would be salutary. The different classes of dissenters had no general interest, no bond of union, but that reproachful exclusion from public employments which was common to them all.

If he were asked, if you abolish the test of the sacrament, what new test will you establish in its room? His answer was, that of the abjuration oath, and of the declaration, which condemned an essential part of the Romish creed. The first could not be taken by the deist, the Jew, or the professor of any religion but the Christian; the last could not be taken by the Catholic. If he were farther asked, if justice be the principle upon which you decide, shall not the Catholics enjoy those common privileges of citizenship, which you describe as the

unquestionable right of all? He would answer without hesitation, if the Catholics could prove, that, though they were of the church of Rome, they were not of the court of Rome, if they could give a sufficient pledge of loyalty to the sovereign and attachment to the laws, questions which they were not now called upon to decide, and which therefore he did not mean to discuss, he should think they ought be admitted to the civil and military service of the state. Mr. Beaufoy strengthened his argument by an allusion to the situation and character of Mr. Howard. He, upon whom every kingdom in Europe, England excepted, would gladly confer, at least, the common privileges of a citizen, and whom the proudest nation might be happy to call her own, was incapable of legal admission into any office in this country. The consequence was, that, his public spirit having led him a few years since to brave the penalties of the law, and to serve in a troublesome and expensive civil employment, the denunciations of the test act were still hanging over him; and Mr. Beaufoy feared, that even now, on his return to his native country, amidst the plaudits of an admiring world, it was in the power of any desperate informer, who was willing to take that road to wealth and damnation, which the legislature had pointed out and recommended to his choice, to prosecute him to conviction, and to bring upon him those dreadful penalties, which constituted the punishment of an outlaw.

Mr. Beaufoy proceeded to observe, that there were two other bodies of men, who were injured by those provisions of the law, of which he proposed the repeal. The first of these was composed of all the

the adherents of the established church of Scotland. By the test and corporation acts, no native of Scotland, who was of the established church in that country, could be admitted to any office in England, or could be employed in the army or the navy in any part of Great Britain, unless he would publicly profess a religion different from his own. Englishmen, residing in Scotland, were entitled to all the privileges of Scots, and had possessed without this disgraceful stipulation the highest offices in that country. Why then should the naval or military service of the united kingdoms be fettered with English restraints? Or why should English conditions be annexed to the possession of a British office? He had heard it said, from a confusion of ideas that was scarcely credible, that to grant a remission in favour of Scotland of the test and corporation acts, would be a breach of the union: an opinion, which supposed that, because by the articles of the union nothing could be taken from Scotland, but what was then stipulated, therefore nothing could be given. He had proved, that the government and discipline of the church of England derived no additional security from these acts, whereas the act, which related to the patronage of the church of Scotland, affected its discipline; and yet had not been considered as any breach of the articles of union. The same may be said of the subsequent act, which gave a complete toleration to episcopal dissenters in that country.

Another body of men who were aggrieved by the laws in question were the conscientious ministers of the church of England. By the duties of their function, by the positive precepts of their religion,

they were enjoined, to warn from the sacred table all blasphemers of God, all slanderers of his word, and persons of a profligate life; yet to those very persons, if they demanded it as a qualification, they were compelled by the test act to administer the sacrament. If there were any thing serious in religion, if the doctrines of the church of England were not a mere mockery of the human understanding, if to talk of peace of mind here and of eternal consequences hereafter, were not the idle babbling of a weak and childish superstition, then must it necessarily follow, that no pretences of state policy could justify this enormous profanation, this monstrous attempt, as irrational as it was impious, to strengthen the church of England by the debasement of the church of Christ. Mr. Beaumont would have thought it not unbecoming the bishops, to have solicited the removal of this scandal from the church. But let the requisition come from what quarter it might, sure he was that a compliance with it belonged to that house as a duty, for whatever tended to the debasement of religion, diminished political authority, and weakened the sanctions of civil discipline.

The motion of Mr. Beaumont was opposed by lord North, who had lately been deprived of the organs of sight, and restrained from his duty in parliament, but who thought proper, as chancellor of the university of Oxford, to come forward on this occasion. He remarked, that, though a sincere friend to the present establishment, he was also entirely satisfied, that a complete toleration in the fullest meaning of that word was proper. If therefore there were any article yet unceded, in order to give its full ener-

gy to toleration, if the present motion had no other object than the free and entire exercise of the rights of conscience, he should be the last man on earth to have opposed it. He should have been glad, if the dissenters had proceeded in a more regular manner, and stated the grievances under which they laboured by petition to the house: yet he was not insensible, that great and liberal minds should show a virtuous eagerness to relieve unasked, and to anticipate the wishes of their fellow-citizens. But, before the house proceeded to a vote, he wished them to consider the ground upon which the motion stood. It prayed for the repeal of an act, which was the great bulwark of the constitution, and to which we owed the inestimable blessings of freedom. It recommended a proceeding, contrary to the happy experience of a century. The mover had talked of the indignity and insult put upon the dissenters by the test act. This was a language that ought not to be highly adopted. Had we not resolved, that no monarch should sit on the throne of the British empire, who refused to comply with the test? If the throne were offered to any prince, who from motives of conscience declined this condition, surely the refusal of the throne to that prince would be no indignity. The vote of a freeholder for a representative in parliament was confined to those, who possessed a freehold of forty shillings and upwards. Were those, who did not possess that qualification, to be considered as marked with infamy, because they were prevented from voting? The same argument might be applied to the restrictions, which the wisdom of government in all countries had found it necessary to establish.

Lord North introduced some allusions to the history of Great Britain in relation to the test act. He asked, what had been the opinion of parliament upon this subject at the period of the revolution? They had deliberately gone through all the acts, and repealed every one, except the test act, which they considered as merely a civil and political regulation. That they preserved, because they thought it necessary for the safety of the church, and the preservation of the constitution. By that parliament a just line had been drawn, for the relief of conscience on the one hand, and the defence of the establishment on the other. Nothing had brought king James the Second so speedily to the crisis of his fate, as the test act, which had rendered it impossible for him to fill, as he desired, with persons of his own religion all offices civil and military. But, if the test act were not a grievance upon the dissenters, there was still less reason to assent, that it was a grievance upon any other bodies of men. If the Scots had any hardships, they would have been ready enough to have laid their complaints before the house, and there was a sufficient number of the natives of that country in parliament, to have stated their grievances. On the other hand, so far was it from being the wish of the clergy of England to obtain the repeal, that they had been universally alarmed at the intention that had been formed, and were determined to resist it with their utmost strength. Lord North added, that they all knew the perilous nature of a cry, that the church was in danger; and an incendiary, watching his opportunity, might cause as much mischief by that cry, as by the cry of No Popery. There was no complaint

plaint of ecclesiastical tyranny; if this were granted them, they might obtain an influence in corporations. The benefit was not so immediate to them in counties; there they only mixed with the general mass of voters; therefore corporations would be their object. An exclusive corporation placed in the hands of the dissenters was a very different thing, from a dissenting member sitting in that house. When a member was chosen by adherents to the church of England jointly with dissenters, he was more likely to come in with principles friendly to the constitution. The persons, who now applied, declared, that they meant nothing political by their application; but he must look at human actions to find out the springs that moved them. A provision for the clergy was of the essence of church government; but surely the state would not assist the dissenters in obtaining that provision. There were persons among them, who would not admit that any establishment was necessary; and against such persons it became the legislature to be upon their guard. He did not mean to fix that description upon those who now applied, and he declared, that he had the highest opinion of the present race of dissenters; but they already enjoyed every mental privilege, every freedom to serve God according to their consciences in the most ample degree.

Mr. Pitt observed, that an objection had been mentioned against the present motion, which with him had no weight. It had been said, if you grant this, the same persons will soon come to you again to ask something more. He would not object to concede what he ought to concede, because he might be asked to concede what he ought not to concede. A distinction in his opinion ought here to be introduced between political and civil liberty, and the question now under the consideration of the house had been mistaken to belong to the latter, when in reality it made part of the former. The introduction of the test was a discretionary power vested in the legislature. It was a political institution, and not the right of an individual. The dissenters were undoubtedly a body of men intitled to the consideration of parliament; but there was another class, equally respectable and numerous, whose fears on this occasion would be alarmed. The members of the church of England, a part of our constitution, would be seriously injured; and their apprehensions were not to be treated lightly. If he were arguing on principles of right, he should not talk of alarm, but, he had already said, he was acting upon principles of expediency. The church and state were united upon principles of expediency; and it concerned those, to whom the well-being of the state was intrusted, to take care that the church should not rashly be demolished. The dissenters de-

sired a participation of offices; and, if this were granted them, they might obtain an influence in corporations. The benefit was not so immediate to them in counties; there they only mixed with the general mass of voters; therefore corporations would be their object. An exclusive corporation placed in the hands of the dissenters was a very different thing, from a dissenting member sitting in that house. When a member was chosen by adherents to the church of England jointly with dissenters, he was more likely to come in with principles friendly to the constitution. The persons, who now applied, declared, that they meant nothing political by their application; but he must look at human actions to find out the springs that moved them. A provision for the clergy was of the essence of church government; but surely the state would not assist the dissenters in obtaining that provision. There were persons among them, who would not admit that any establishment was necessary; and against such persons it became the legislature to be upon their guard. He did not mean to fix that description upon those who now applied, and he declared, that he had the highest opinion of the present race of dissenters; but they already enjoyed every mental privilege, every freedom to serve God according to their consciences in the most ample degree.

Mr. Fox acknowledged, that it was right to oppose the repeal of a test, which shut out such dissenters, as denied that any establishment was necessary. But this principle ought not to be indiscriminately applied. He would not allow, that the opinions of the heads of the church of England were to be a rule for the political conduct of that house; for they had been as deci-

decidedly against passing the bill of 1779, which was now stated as having completed the toleration of the dissenters, as they were upon the present occasion. He acknowledged, that the test act did not operate directly as a stigma upon the dissenters, but was of opinion, that it was highly unwise, to take religion as religion, for a test in politics. The dissenters were persevering and active in their applications for redress in former times; and, if they employed the same perseverance now, they could not fail of success. He had considered himself as honoured in acting with them on many occasions; and, if he thought there was any time in which they departed from those principles, which were congenial to the constitution of their country, he should refer to a period of very recent date. In recollecting what had been their conduct upon that occasion, the house would at least do him the justice to say, that in supporting them to-day he was not influenced by any very obvious motives of private partiality and attachment. But he was determined to let them know, that, though they could upon some occasions lose sight of their principles of liberty, he would not upon any occasion lose sight of his principles of toleration. Mr. Fox recommended the endeavouring to discover, whether some modification of the penalties, without repealing much of the act, might not prove more palatable to the house; and added, that, as the matter stood at present, Mr. Pitt might be said, though disclaiming persecution in words, to admit the whole extent of it in principle.

Sir William Dolben warmly opposed the motion; and, in order to show how unjustly a spirit of moderation had been ascribed to the dis-

senters of the present day, read a passage from a pamphlet of doctor Joseph Priestley, in which it was observed, "that their silent propagation of the truth would in the end prove efficacious. They were wisely placing, as it were grain by grain, a train of gunpowder, to which the match would one day be laid to blow up the fabric of error, which could never be again raised upon the same foundation." The motion was supported by lord Beauchamp, sir James Johnstone, sir Harry Houghton and Mr. William Smith, and upon a division the numbers appeared, ayes 100, noes 17.

The laws of imprisonment for debt have long been acknowledged to form a blemish in the legislative code of this country. As it never happens, that an error, which has crept into the government of any country, is remedied, as soon as discovered, therefore in the present case the introducing a permanent improvement in our laws upon this subject has long been procrastinated, and resort has been had to various expedients for diminishing the present evil. One of these expedients has been what are called acts of grace, originating in the clemency of the sovereign upon his accession to the throne, or upon some other great and holiday event. A second expedient has been what is denominated the lords' act, which is a sort of perpetual law, provided for the compounding the affairs of debtors, whose debts do not exceed one hundred pounds, and this limitation was extended in the year 1785 to the sum of two hundred pounds. A farther expedient is that of insolvent acts, which have usually been passed at periods of various distance, when the prisons of the kingdom have been so full,

as to be supposed to render them absolutely necessary. The last insolvent act in this kingdom was occasioned by the riots in 1780, and another was attempted to be brought in the year 1783; and was enforced by the argument, that it was usual to pass such an act at the period in which the prince of Wales came of age. This bill passed the commons, and was rejected by the lords; and the same event was repeated in 1784, 1785, and 1786. These bills had been supported by Mr. Sawbridge, Mr. Newnham, Mr. Daniel Parker Coke, sir Joseph Mawbey and lord Beauchamp in the house of commons; and in the house of lords by the earl of Effingham, and the dukes of Norfolk, Chandos and Richmond.

A bill of a similar nature being introduced into parliament in the present year, was read for the second time in the house of lords on the twenty-second of May. It was recommended by the duke of Norfolk, from the consideration, that there were above three thousand debtors confined in the different prisons of the kingdom, the loss of whose labour was a material injury to their families and the public. The present bill, he observed, contained several restraining clauses for the prevention of fraud and imposition; but, if any farther restraints should be thought necessary, he would most willingly either introduce or receive clauses for that purpose in the committee, and so modify the bill, as to render it acceptable to the house, and salutary in its effects with regard to the public. Lord Rawdon, who was also an advocate for the bill, entered into the detail of the modes, which had been employed in various periods of our history for compelling the payment of debts. Originally,

he said, so much attention had been given to the usefulness of each individual, to his family and the public, that, whenever his property was seized, his utensils of agriculture were deemed unattachable. The proceeding by distress was the first process, and that was multiplied, till all the property of the debtor was seized. Afterwards the apprehending the person of the debtor, in order to oblige him to give an account of his effects, was added; and this was a severe and oppressive process. It was not till the time of king Charles the Second, that, in consequence of the alteration of tenures, the present mode of retaining the debtor in prison for a long and uncertain period was added. The bill was farther supported by lord Kinnaird and the earl of Hopetoun.

Lord Thurlow, by whose intervention the bill had been rejected in several preceding instances, now delivered his sentiments in a more full and explicit manner, than upon any former occasion. He maintained, that the general idea, that humanity required the intervention of the legislature between the debtor and the creditor, was erroneous in its foundation, and dangerous in practice. He had frequent opportunities of witnessing the temper of creditors, and had seldom found any cause of complaint on account of their severity; but on the contrary their lenity and kindness, considered as a collective body, were uniform, active and abundant. In aid of his own observation he quoted the authority of earl Mansfield, that for twenty prodigal debtors there scarcely appeared in the course of law one cruel creditor. With regard to the argument, that there were three thousand debtors in the different
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jails, the number of actual prisoners on mesne process or in execution, was one thing; the number of prisoners, including their suites, families and attendants was another; and the number of prisoners on the speculation of an insolvent bill was a third.

It had been said, that our laws respecting debtor and creditor stood in need of alteration and amendment, and perhaps the assertion was not altogether untrue. But he earnestly conjured the house, not to countenance such breaches of faith with creditors, as occasional insolvent bills. He alluded to the ancient notion, according to which a tradesman, who could not pay his debts, was an object of punishment. Afterwards, as the principles of trade became better understood, more enlarged ideas prevailed, and the bankrupt laws were instituted for the relief of traders, who failed through unforeseen misfortunes. They were the proper objects of generosity and protection, while on the other hand those, who ran in debt, knowing that they should never be able to pay, were certainly fit subjects of that severity, which the law, as it stood, empowered their creditors to exercise towards them. Lord Thurlow farther called to the recollection of the house the preamble of the insolvent act of 1786, which he represented, as a federal compact, into which parliament had entered with the body of creditors, assuring them, that it was not very likely that any more insolvent acts would be passed.

He went on to state some ideas, which he had formed of the alterations that might be desirable in the laws of imprisonment in this country: and he requested the house to consider them, as the mere outlines of what, from a momentary atten-

tion to the subject, had passed through his mind. He had lately conversed upon the subject with Mr. Howard, whose humanity, great as it was, he thought was at least equalled by his wisdom; for with a more able or judicious reasoner upon the topic he had never conversed. His own ideas had been turned to solitary imprisonment and a strict regimen, as a punishment for debt; and that notion had exactly corresponded with Mr. Howard's. There was a part of the Scottish law, which he much admired, and that was the punishing with more than ordinary severity those who were concerned in advising a tradesman to fraudulent bankruptcy; and aiding and assisting him in effecting such a bankruptcy. Another matter, which he had in contemplation, was to oblige the creditor to allow the groats, agreeably to the lords' act, and to increase them, if the constitution and habit of his debtor required it. To indemnify the creditor he meant to allow him, to add the groats to the original debt, for which the estate of the debtor, either in possession, reversion, or expectancy, should be liable. Upon the question for going into a committee upon the bill, the numbers were, contents 12, not contents 23.

A few of the topics, which occurred in the present session, appear to demand that they should be just mentioned, though, as they were neither made a part of the laws of the country, nor were attended with very considerable discussion, it is not necessary that we should dwell upon them. A bill was offered to parliament, both in the last and present session, by Mr. Baffard, for preventing frivolous and vexatious suits in the ecclesiastical courts, and having passed the com-

commons, was rejected by the lords. The necessity of this bill was urged by the consideration of the very strange and absurd suits, that were frequently instituted in these courts; one in particular Mr. Ballard mentioned, which had been brought against a man for antenuptial fornication, six or seven years after the death of his wife. Mr. Ballard affirmed, that all suits, commenced in these courts, without exception originated in malice, and that, even if it were otherwise, the courts were useless, since they were empowered to inflict no other punishment than that of penance, which was merely going to church in masquerade, and was rather an object of ridicule, than of terror. The ecclesiastical courts were defended by sir Lloyd Kenyon, Mr. Arden, Mr. Bearcroft and Mr. John Scott; the last of whom observed, that, if a court were to be abolished or restrained, on account of the absurdity of some of its proceedings, the argument would apply to every court of law in this kingdom. He quoted the opinions of certain judges in proof of this. From these it appeared, that, if a man said that another had been guilty of murder, that was actionable, because murder was a felony; but, if he only said that he cut down the other's head with a cleaver, so that one cheek lay on one shoulder and another upon another, that was not actionable. If a man called a woman a whore in London or Southwark, it was actionable; but he might call her so elsewhere with impunity. If a man in Yorkshire said that another had strained a mare, it was actionable, because in Yorkshire those words had a different meaning from what they had in any other county. The arguments of the lawyers were answered, and the

bill supported by sir William Moleworth, sir William Lemon, sir James Johnstone, Mr. Rolle, Mr. Courtenay, and Mr. Fox.

A bill had been introduced in the year 1786 by Mr. Pulleney, for more effectually supplying his majesty's ship, of war with seamen, and for abolishing the impress service; and, having been rejected upon the second reading, was now introduced with some alterations, and read for the first time and printed, upon the motion of Mr. Sheridan. A motion was also made late in the session by Mr. Minchin, for appointing a commission of professional men, not members of parliament, in imitation of the commission of public accounts, for the revival of the penal laws, which were, in his opinion, much too sanguinary, and liable to several other very cogent objections. The motion was withdrawn at the request of Mr. Pitt. A petition was also presented from the common council of the city of London, for reviving the laws against regrators and forestallers; and it was moved, that the petition should be referred to a committee. The prayer of the common council was supported by Mr. le Mesurier, and was treated with contempt and ridicule by Mr. alderman Townsend, Mr. Vyner and Mr. Burke. By the latter it was observed, that the laws against forestalling had not long since been repealed upon the recommendation of lord Mansfield; and, as he had been the humble instrument of moving the repeal, he wished to prevent the dry bones of those gibbeted laws, from being again called from their merited fate into existence. Sir Watkin Lewes expressed some indignation at the supercilious manner in which the deliberate reflections of the common council of London

don were treated; and alderman Newnham observed, that, though Smithfield ought to be the common market of the metropolis, the cattle were now stopped in their way, and bought up in the neighbouring villages, and an artificial scarcity created in the midst of plenty. The motion was rejected without a division.

The case of Mr. David Brodie, a captain in the navy, had been brought under the consideration of the house of commons, but unsuccessfully, in the year 1786; and was now revived upon the motion of sir Matthew White Ridley, and sir John Miller. This officer had displayed great bravery in the war of 1739. In a sloop of ten guns he had sustained and repelled an attack from a fifty gun ship of the enemy, and had taken seven French and two Spanish vessels, in the action with one of which he lost his right arm. He was then promoted to the command of a ship of the line, and had captured a ship of sixty-four guns, the only ship that had been taken in the engagement off the Havannah in 1748. In 1750 he stated that he was incapable of service, and prayed to be put upon the pension list. His present complaint was, that he had been passed over in the promotion of admirals in 1778, upon a rule established by the board of admiralty, "that no officer, who had not served in the war preceding any naval promotion, should be included in that promotion;" though he proved, that he had repeatedly offered his services in the war of 1755.

The demand of captain Brodie was warmly supported by Mr. Pulteney, Mr. Dempster, Mr. Drake, sir George Collier, and captain Macbride. Sir Edmund Aftock declared, that a more meritorious of-

ficer had never served his majesty, and that he was as good a man in private life as had existence. Sir John Jervis spoke of him in terms of high encomium. At a time, when party disputes divided the navy, and ran so high as greatly to injure the service, captain Brodie had not only preserved his character free from imputation, but his conduct stood conspicuous for bravery and merit. It had fallen to the share of a distinguished officer, now at the head of his profession, to sit upon a court martial then held upon an officer of eminence, and to examine captain Brodie as a witness. Thus circumstanced, he had drawn from him, though with great reluctance, an account of the proceedings and business in question; and, after hearing him out, had burst forth into an exclamation of applause, declaring, that the oldest officers in the service might be glad to give up the glory of all the actions of their lives, to have acted as captain Brodie had done on that day. Sir John Jervis appealed to the generosity and justice of the house, whether they could refuse this act of their kindness, the expense of which he understood would amount to 120 l. per annum, to an officer now verging to his seventy-eighth year, and whose constitution was broken and shattered by hardships and injuries.

The motion was opposed by Mr. Brett, Mr. Hopkins and captain Leveson Gower, lords of the admiralty, commodore Bowyer, lord Hood, lord Mulgrave, and Mr. Dundas. Mr. Pitt considered the motion as in the highest degree alarming, as it invaded the royal prerogative, and assumed to that house the superintendence of naval promotions. He said, that, when a rule,

rule, like that of the board of admiralty, was once established, he should approve of its being vigilantly guarded by that house, but not of their interposing for a partial violation of it. Mr. Fox acknowledged, that Mr. Pitt's objection would be a good one, if the motion had demanded for captain Brodie specific rank; but observed, that on the contrary, it merely prayed the king to bestow some mark of his royal favour, leaving it to himself to determine its nature. The house divided upon the address, ayes 83, noes 100.

The subject, which next claims our attention, will be found upon every account highly interesting. The great personage, to whom it relates, is the heir apparent of the British crown; and to develop the character and trace the dispositions, in the earlier and more personal transactions, of him, upon whom the welfare of millions will in a certain degree depend, and who will probably govern one of the most enlightened nations in Europe, at a period of still greater refinement and knowledge than the present, arrests the mind by every motive, that belongs to us as individuals, as citizens, and as men. The narrative is rendered still more attractive, if it needed any additional attraction, by private anecdote, by delicacy of situation, and by a new and uncommon circumstance, that alarmed the apprehensions of many, and employed the reflections of all.

Into the character of a prince, who is yet in early life, and who may possibly hereafter display dispositions and talents, the seeds of which can scarcely yet be said to be developed, we shall not be expected to enter at large. He is not supposed to be deficient, either

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in the natural powers of the understanding, or in the accomplishments of education. His manners are said to be affable and engaging, and his conversation sensible, judicious and polite. At the same time his disposition is full of animation and passion; and, whether in the pursuit of honourable and just purposes, or in a temporary deviation into error, he is incapable of a cold and phlegmatic moderation.

The first occasion, in which his personal dispositions became a subject of public observation, was during the administration of the duke of Portland in 1783. A mutual cordiality was known to subsist between the heads of this administration, particularly Mr. Fox, and the prince of Wales; and in the month of June a parliamentary notice was given of an intended message from the sovereign, the subject of which, though not publicly stated, was generally understood to be an increase of the revenue of the prince from 50,000*l.* to 100,000*l.* per annum. Whether it were, that the ministers acted in this business with rashness and precipitation, or that the king, having first consented to the measure, upon maturer reflection thought proper to withdraw his consent; certain it is, that a demur was created upon the subject, and that it was for some days a matter of doubt, whether the ministers, who thought they could not recede with honour, would not resign upon this question. In this emergency the prince of Wales interposed between his father and his confidential servants. He declared, that he was desirous of obtaining no additional income, that did not spring from the spontaneous bounty of the king, and that he chose for the present to remain in the situa-

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tion in which he was: Thus the matter was settled in the year 1783.

In the beginning of the year 1786, a new topic of general discourse brought the prince of Wales again before the tribunal of the public. Like other young men, he had hitherto shewn a general regard for the fair sex, without attaching himself fully and decisively to one individual. At this time he contracted a very intimate friendship with Mrs. Fitzherbert, a lady of family, niece on the father's side to sir Edward Smythe of Aston Burgh in the county of Salop, baronet, and distantly related to lord Sefton, an earl of the kingdom of Ireland. He was known to be very frequently at the house of this lady, and appeared with her familiarly at all public places. This circumstance was perhaps alone sufficient to excite a rumour of their being privately married, and it is not certain that the rumour had any other origin.

That the prince of Wales should not be privately married, was an event particularly guarded against in a celebrated act of parliament of the present reign, commonly called the royal marriage act. By this act it was declared, that the heir apparent was incapable of marrying till the age of twenty-five years, without his father's consent, or, in case of refusal, without the consent of both houses of parliament. The marriage therefore, if it had taken place, was null in law. The children of the marriage, if any were born, were illegitimate, and incapable of inheritance. But this was by no means the circumstance, which made the most considerable impression upon the public mind. Mrs. Fitzherbert was educated in the principles of the

Roman Catholic religion. She might have retracted those principles; but was that retraction, if it had been made, worthy to be believed? The act of settlement, by which the house of Brunswick was called to the British throne, expressly declared a prince who married a Catholic, incapable of inheriting the throne. This provision it might be said was made at a time, when we had just reason to apprehend the intrigues of the Catholics against the established religion of the country; now these intrigues were no longer to be feared, and the provision was of course to be regarded as obsolete. But it is scarcely to be credited, how deep an impression was made by this supposed marriage on the minds of many well meaning individuals. They saw in their prospects into futurity every reason to expect the horrors of a civil war; and, in their zeal for our civil and religious liberties, some of them were ready, in case of the demise of the sovereign, to have taken up arms against his natural successor by way of antidote and precaution.

The year 1786 was farther distinguished by a circumstance in the history of the prince of Wales, not less extraordinary, than that which we have mentioned, and which does much honour to his principles and his character. Acting, as he had done, under a kind of uncertainty respecting his future income, and certainly not exempt from the heedlessness and the extravagance of youth, the prince of Wales was said to have contracted debts to the amount of between two and three hundred thousand pounds. In this situation he did not act in the manner, which custom has in some measure authorized in royal personages; he did not

not imitate the conduct, which has frequently been adopted by persons much less elevated in their situation, and look with indifference on the inconveniences and distresses that might fall upon his creditors. He felt like a man of virtue and honour. Having waited for a considerable time in the hope of some favourable change in his situation, he is reported to have applied to the king for assistance; observing at the same time, that, if any part of his conduct were thought improper, he would alter it, and conform to the wishes of his majesty, in every thing that became him as a gentleman. The king desired, that a state of the prince's affairs might be laid before him. This was accordingly done; and on the fourth of July the king's answer, which was a direct refusal to interfere, was conveyed to lord Southampton, the groom of the stole to the prince.

The prince took only one day to deliberate upon the conduct he should hold in this emergency. He then resolved to suppress the establishment of his household, to abridge himself of every useless expence, and to set apart a large annual sum in the hands of trustees, which was rumoured to be of the amount of 40,000*l*, for the liquidation of his debts. He had hitherto indulged to a passion, frequent in persons of high rank, of training running horses for Newmarket and the other places of public contention in this kind. His running horses, his hunters, even his coach horses, were now sold by public auction to the amount of seven thousand guineas, the buildings of Carlton house were stopped, and some of the considerable rooms shut up from use. In this manner he thought proper to retire from the

splendour which belonged to his station, rather than forfeit that honour and integrity, which undoubtedly every man ought to consider himself as pledging to his creditors.

The conduct of the prince was a subject of various animal version. In itself undoubtedly, and taken separately from any thing that had preceded it, it was entitled to high commendation. But it is equally certain, that it did not obtain from the nation in general that full and voluntary applause, to which it was entitled. The temper of the present age is a subject of curious speculation. It cannot be pretended, that we are entire strangers to dissipation and profligacy; but there is a prevailing humour, that renders us severe, almost cynical, upon the subject of virtue. In the great contest between Mr. Pitt and Mr. Fox in the close of the last parliament, undoubtedly there was many considerations, that co-operated with each other for the purpose of giving so entire a victory to the former. But of all these motives perhaps the most cogent was that, which was derived from the sobriety and purity of Mr. Pitt's conduct, and from the known dissipation and propensity to gaming of Mr. Fox. It is equally true, though not perhaps equally obvious, that nothing has tended to carry the present sovereign in safety through all the storms and calamities of his reign, more, than his perfect freedom from every irregular and vicious pursuit. The contrast in this respect between the prince upon the throne and his apparent successor, was by no means favourable to the latter. There was scarcely any deviation, in which the prince did not occasionally indulge, and it cannot be denied,

that the world spoke in language of strong censure of the choice made by him of his most intimate companions. All these considerations were ten fold strengthened, by the affair of the supposed marriage with Mrs. Fitzherbert. His admirers compared him with our favourite Henry the Fifth, and asserted, that his present dissipation was only the ebullition and the first violence of great and noble qualities. But to this it was replied, that the matter in question cut off all hopes. In this instance he had proved, that the wildness and inconsideration of his nature were rooted, and that he had no better and more worthy principles at bottom to check his excesses. To the gratification of a youthful inclination, he had sacrificed the dignity of his character, and the happiness of his country.

His situation became every day more critical. In less than a month from the period in which he had discharged his household, the attempt was made upon the life of the sovereign, which we have mentioned in the beginning of the present volume. The prince was at Brighton when the affair happened; and the news reached him, not by immediate conveyance from the king, but by the information of a private friend. Without a moment's delay he travelled post to Windsor, and had an interview with her majesty. Upon this occasion it might have been expected, that the affection, which naturally subsists between the parent and the child, should have carried the prince and the king into each other's arms. They did not see one another. The king knew that the prince was in the house, but he did not think proper to summon him to his presence. The prince on his part did not demand an interview,

because court etiquette seemed to have placed the necessity of the first overture on the other side, and because he naturally imagined, that he had sufficiently displayed the dispositions by which he was actuated, by the journey from which he was just arrived. There had already been a coldness between the king and the prince, but this was the first occasion in which it had broken out into act. It was supposed by many, that the king was displeased with the circumstance of the prince having thought proper to discard his household, without having consulted the inclination of his father, or demanded his consent. It was also supposed, that the king participated in the feelings of the majority of his subjects respecting Mrs. Fitzherbert. The rumour of the pretended marriage might probably have originated in a very low and insignificant source; but it is of the nature of rumour to increase, if it be not contradicted by the person to whom it immediately relates. In the present case there were reasons for not contradicting it. The pride of the lady's family, the delicacy due to herself, seemed to require that a certain degree of mystery and silence should rest upon the transaction. There were few people in Great Britain, who knew the falsehood of the rumour; and there were few, by whom it was not in good earnest believed. It is even probable, from the coldness and distance that had for some time subsisted, that the king himself was not uninformed upon the subject.

This open rupture between the prince and his father filled up the measure of the son's unpopularity. The experienced and the sage took part against him. The domestic character of the king was well known,

known, and was an object of general respect. It was not probable, that the father should fail in paternal kindness to his son, though it were very possible that the son might fail in filial duty to his father. They affirmed, that, in a quarrel between these two, the son was always in the wrong. They predicted the most calamitous events as the result of this breach. They looked back to the history of the two preceding reigns, and they believed, that something more bitter, more inveterate, and more injurious to government and the people would spring up now, than in any former instances.

We have now related all those public events in the history of the prince, which preceded the transaction that was the immediate occasion of introducing them. Nine months had now elapsed since he had reduced his household, retrenched his income, and entered upon the project for the liquidation of his debts. He had expected perhaps, that so striking an instance of his interestedness would have operated somewhere, so as to occasion his embarrassments to be taken up as a national concern. He felt himself indisposed, to submit any longer to the indignity, of his situation, and to live upon the very narrow plan he had chalked out to himself. The public has been divided respecting what it was that it became them to desire in the present instance. On the one hand it was said, that the prince was the proper person to do the honours of the nation to foreigners that visited it, and that the magnificence of his living, the liberality of his temper, and the affability of his disposition were calculated to exalt and do credit to the English character. His present situation was

a disgrace to the country. It exhibited us in the eyes of Europe, either as impoverished and impotent, or as governed by an injudicious and ill timed penuriousness, that curbed and chained down the manly inclinations of the first subject in the realm, and froze up the natural current of his spirit and generosity. On the other hand it was maintained, that the irregular and faulty character of the prince required a severe discipline. It was perhaps true that he had discovered some rectitude of judgment. He had known how to chuse the path of virtue, and he ought to be taught how to persist in it in spite of the ruggedness and thorns that surrounded it. Adversity was never yet injurious to improvement. A person of the most elevated birth was in danger of being spoiled by uninterrupted prosperity, and it was right that poverty, hardship and inconvenience should teach him to feel for other men.

We have described what were the reflections of indifferent spectators: we return to what was the conduct of the prince. Having tried, as he conceived, every other expedient for his extrication, he now thought proper, as the last resort, to authorise an application to parliament, and the person, to whom the business was intrusted, was Mr. Nathaniel Newnham, an alderman and one of the members for the city of London. Accordingly this gentleman on Friday the twentieth of April put the question to Mr. Pitt, whether it were his design to bring forward any proposition to rescue the prince of Wales from his present very embarrassed and distressed situation. Being answered, that Mr. Pitt had received no commands to that purpose from the king, he gave notice,

that, on Friday the fourth of May, he would bring forward a motion upon that subject for the consideration of the house.

This notice produced a very extraordinary impression upon the minds of his hearers, and awakened the utmost anxiety in different descriptions of persons in parliament. Mr. Pitt revived the subject on the following Tuesday, and requested to be indulged with some more accurate information, respecting the precise nature of the proposed motion. Mr. Newnham was not prepared to answer to this enquiry; and Mr. Pitt then observed, that the subject was of the highest importance in itself, of the greatest novelty, was likely to affect the most essential interests of the country, and of all others required the greatest delicacy in its discussion. The knowledge, which he possessed on the subject, made him peculiarly desirous of avoiding it; but, if it were absolutely determined to bring it forward, he would, however distressing it might prove to him as an individual, discharge his duty to the public and enter fully into the subject.

On Friday the twenty-seventh of April Mr. Newnham stated to the house the precise nature of his motion, which was for an address to the king, praying him, to take the situation of the prince into his consideration, and to grant him such relief as in his wisdom he should think fit, pledging the house to make good the same. Mr. Rolle observed, that he felt much concern to find Mr. Newnham persist in his intention, and particularly pressed the subject upon the attention of the country gentlemen, as it was one of those questions that tended immediately to affect

the constitution in church and state,

Mr. Sheridan declared himself highly impressed with a sense of the magnitude and importance of the subject, and considered it as perhaps of greater consequence, than any, that had ever been agitated in that assembly. But he could not agree, that it interested the country gentlemen alone, and not every individual member of parliament. He took notice of Mr. Rolle's expression respecting the constitution in church and state, upon which he did not know what precise meaning to affix; and he recurred to another expression, employed by Mr. Pitt, which, on account of the person from whom it came, was entitled to the more serious observation. He meant an insinuation, that there were circumstances, which must come out in the discussion of the question, to show the impropriety of granting the assistance required. He declared from the best and highest authority, that neither the friends of the prince, nor the prince himself, had any other wish, than that every circumstance in the whole series of his conduct should be most minutely and accurately investigated. His royal highness desired, that no part of his conduct, circumstances, or situation, should be treated with ambiguity, concealment, or affected tenderness, but that whatever related to him should be discussed openly, and with fair, manly and direct examination. Mr. Sheridan added, that he had expected, that, long before this, the awkwardness of the discussion would have been prevented by relief from another quarter, and that he felt an extreme reluctance in agitating it in an hostile manner. Mr. Dempster,

ster, Mr. Hufsey, Mr. Drake and Mr. Powys now interferred, and joined their intreaties to Mr. Newnham, that he would give up his intended motion. By the latter it was remarked, that, instead of hearing on that day an explanation of what might be the substance of the motion, he had rather expected, that the member, who had prepared it, would have come and asked pardon of the house for the impropriety of his conduct. Mr. Powys declared, that there never was a question, in which he had felt so much, or was so incapable from agitation of expressing what he was anxious to say; and he trusted, that every person, who wished well to the country, or was attached to the family upon the throne, would use every possible effort to prevent it from being debated.

Mr. Pitt professed much good will to the prince of Wales, and was greatly concerned, that by the perseverance of Mr. Newnham, he should be driven, though with infinite reluctance, to the disclosure of circumstances, which he had an opportunity of knowing, and which he would otherwise have thought it his duty to conceal. He disclaimed any idea of insinuation, and asserted, that the form of the motion, so far from rendering it more acceptable to him, was of all others the most improper and unjustifiable that could be proposed. Mr. Sheridan replied, that he was unable to comprehend, why the notice of the measure should have produced so much alarm among the country members. But, be that as it will, Mr. Pitt had himself erected an insuperable bar to the withdrawing of the motion. Insinuations had been thrown out in the first instance, and converted

into assertions on that day, which the honour and feelings of the parties made it necessary to have explained. Should the persons engaged now recede from the measure, could the house, could the country, or could Europe form any other opinion of such behaviour, than that the prince had yielded to terror, what he had denied to argument? But, if such were the design of the threats that had been employed, he believed they would find, that the author of them had as much mistaken the feelings, as the conduct of the prince. Mr. Sheridan said, that, as to its being supposed, that the party with whom he acted were desirous of fomenting the unhappy divisions, which were conceived to exist in the royal family, the charge was as false, as it was foolish. Such divisions, so far from assisting, must materially injure those, who were not admitted into his majesty's councils, and whose opposition was in reality founded, not in personal animosities, but upon broad constitutional ground.

The conversation was now interrupted by a debate upon a very different subject; and, as soon as that was disposed of, Mr. Pitt rose again, to observe, that the particulars, to which he had alluded, and which he should think it necessary to state more fully to the house, related only to the pecuniary situation of the prince of Wales, and to a correspondence which had taken place on that subject, and had no reference to any extraneous circumstances. He trusted therefore, that, this matter being explained, he should prevail in his intreaties to prevent the proceeding any farther in a business, which, though he had no doubt it was undertaken from a regard to the hon-

nour of the royal family and the interests of the country, must, if persisted in, be productive of consequences most injurious to both. Mr. Newnham replied, that he was certainly not so rash and presumptuous, as to have taken up the idea of this motion from the bare suggestion of his own mind, and that, having brought himself to undertake a matter of so much importance, neither was he so weak as to feel any alarm for consequences, which might be held out with an interested view to drive him from it.

On the Sunday following a meeting was held, at the house of Mr. Thomas Pelham, of the friends of the intended motion of Mr. Newnham, and at which the prince of Wales was present, in order to consider of the state of the business, and to concert such measures, as might be thought proper under the present circumstances; and, in consequence of this meeting, new ground was taken in a conversation, that was introduced in the house of commons on the following day. Mr. Newnham began with alluding to the remark which had been made by Mr. Pitt, that the mode of application by address to the throne was of all others the most exceptionable; and declared, that he should therefore think it right to decline that form of proceeding, and, if Mr. Pitt would point out a mode of application the most mild and the least likely to provoke resistance, he would readily adopt that mode, in preference to any other that might occur to him. He observed, that certain hints had been thrown out by Mr. Pitt respecting the singular delicacy of some matters that it would be necessary to agitate, which hints, though questionable in their first

appearance, were explained by the minister in a satisfactory manner. Another allusion had been employed by Mr. Rolle, who had talked of the question as affecting our constitution in church and state, and he conceived, that that gentleman was bound, as a man of honour, to come to an open explanation of what he intended by the allusion.

Mr. Fox, who had not been present at the conversation of Friday, now followed Mr. Newnham. He had understood, that Mr. Sheridan had upon that occasion observed, that the prince did not wish to shrink from any enquiry, which it might be thought necessary to institute. Mr. Fox now confirmed that assertion from the immediate authority of the prince. With regard to the private correspondence in question, he was desirous to have it laid before the house, because it would prove the conduct of the prince to have been in the highest degree amiable, and would present an uniform and perfect picture of duty and obedience; as much so, as ever in any instance had been shown, from a son to his father, or from a subject to his sovereign. As to the debt which was the cause of his embarrassment, the prince was willing to give a general and fair account of it; and, if any part of it were doubted, from a suspicion that this or that article of the account comprehended any sums of money indirectly applied, he would give a clear explanation of the particulars to the king or his ministers. He had not the smallest objection to affording the house every possible satisfaction, and there was not a circumstance of his life, which he was ashamed to have known. With respect to the allusion to church and

and state, till the person who had made it thought proper to explain himself, it was impossible to say with certainty to what it referred. But he supposed it must have originated in that miserable calumny, that low malicious falsehood, which had been propagated without doors, and made the wanton sport of the vulgar. He had hoped, that a tale, fit only to impose on the lowest orders of persons in the street, would not have gained the smallest degree of credit. But, when it appeared, that an invention so monstrous, that a report of a fact, which was destitute of the slightest foundation, and which was actually impossible to have happened, had been circulated with so much industry, and made so deep an impression, it proved at once the uncommon pains taken by the enemies of the prince, to propagate the grossest and most malignant falsehoods, with a view to depreciate his character, and injure him in the opinion of his country. Mr. Fox added, that, when he considered, that his royal highness was the first subject in the kingdom, and the immediate heir to the throne, he was at a loss to imagine what species of party it was, that could have originated so base and scandalous a calumny. Had there existed in the kingdom such a faction as an anti-Brunswick faction, to that faction he should certainly have attributed the fabrication of so infamous a falsehood; for he saw not what other description of men could feel an interest, in first inventing, and then circulating with more than ordinary assiduity a tale, in every particular so unfounded. The prince had farther authorised Mr. Fox to declare, that, as a peer of parliament, he was ready in the other house, to submit to any the

most pointed questions that could be put to him upon the subject, or to afford the king or his ministers the fullest assurances of the utter falsehood of the fact in question. With respect to the alarming consequences, talked of as likely to be the effect of a parliamentary discussion of the prince's situation, Mr. Fox saw no reason to dread them.

Mr. Pitt observed, that Mr. Newnham had mistaken the nature or his objection to the intended motion. His opposition was pointed at every proposal that should originate such a subject in that house; so that in fact the form in which it was done could have very little weight in his consideration. Mr. Fox, he said, had proceeded a little too far, in having charged him with dealing in insinuations and innuendos, merely because he had stated that disagreeable topics would be found to mingle in the discussion of the subject. Mr. Pitt added, that it little became Mr. Fox at the same time to throw out hints and insinuations, evidently calculated and intended to fall somewhere, and upon some person, whom, though he had not mentioned, he seemed to think the house would be able to discover. Such expressions, he was convinced, no member would expect him to answer. Mr. Fox had not chosen to point his charge against any individual, nor should he point it for him.

Mr. Rolle acknowledged, that the subject, upon which Mr. Fox had spoken, was the matter to which he had alluded, as affecting both church and state. That matter had been stated and discussed in the newspapers all over the kingdom, and it had made an impression on him, and upon almost all ranks of

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men in the country, who loved and venerated the constitution. Mr. Fox had said, that it was impossible to have happened. They all knew, that there were certain laws and acts of parliament which forbade it; but, though it could not be done under the formal sanction of law, there were ways in which it might have taken place. Those laws in the minds of some persons might be satisfactorily evaded, and yet the fact might equally be productive of the most alarming consequences. It ought therefore to be cleared up. Mr. Fox replied, that he did not deny the calumny in the question, merely with regard to the effect of certain existing laws; but he denied it in toto, in fact as well as in law. The fact not only could never have happened legally, but never did happen in any way, and had from the beginning been a base and malicious falsehood. Mr. Rolle rose again, and asked whether, in what he had said, Mr. Fox had spoken from direct authority. Mr. Fox declared, that he had spoken from direct authority.

Mr. Sheridan observed, that Mr. Rolle, after having put a pointed question, and received an immediate answer, was bound in honour and fairness, either to declare that he was satisfied, or to take some means of putting the matter into such a state of enquiry as should satisfy him. To remain silent, or to declare (which was the only answer that could be extorted from Mr. Rolle) that the house would judge for themselves of what had passed, was neither manly nor candid. If therefore he did not chuse to say he was satisfied, Mr. Sheridan thought, that the house ought to come to a resolution, that it was seditious and disloyal to propa-

gate reports injurious to the character of the prince, and thus by their interposition to discountenance the report. Mr. Grey enforced this argument. Mr. Pitt considered the language of Mr. Sheridan, as the most direct attack upon the freedom of debate and liberty of speech in that house, that had been made ever since he sat in parliament. In his opinion the members on that side of the house should rather be obliged to the gentleman, who was the first to suggest a question, which had been the means of bringing forward so explicit a declaration on so interesting a subject, and one which must give complete satisfaction, not only to Mr. Rolle, but to the whole house. Mr. Pitt added, that he was particularly prepared to disprove any arguments which might be brought, in support of the necessity of an application to parliament, as he had opportunities of knowing, from the correspondence which had passed, that no such necessity could arise from the want of a fit degree of forwardness in another quarter to do every thing which ought to be done in the business.

It was in this stage of the transaction, that Mr. Dundas conveyed an intimation to the prince of Wales, that, if the prince had no objection, Mr. Dundas would be glad to have an interview with him. This overture was reported to have sprung from some things, that had been dropped by the duchess of Gordon upon the subject, in a conversation between her and Mr. Pitt. Be that as it will, the intimation had every desired effect. Mr. Dundas had an interview with the prince at Carlton House on Wednesday, and Mr. Pitt on Thursday. In consequence of these interviews Mr. Newnham acquaint-

ed the house of commons on the following day, which was the day originally selected for his long expected motion, that that motion was now no longer necessary, and therefore with the most sincere and heart-felt satisfaction he declined the bringing it forward. Mr. Drake was the first to express his sentiments upon the subject; which he did, as he observed, in a very disarranged and unconnected style; but added, that the excessive gladness of his heart was superior to eloquence, and that the pleasantness of his sensations almost deprived him of the power of uttering his sentiments. He expressed his wishes, that the king might continue to reign over a great, loyal and united people till the utmost period of humanity; and that, when by the course of nature his successor should mount the throne, he might copy the pious example and the purity of manners of his royal father. Mr. Rolle concurred in being pleased with the circumstance of the motion's being withdrawn, but observed, that the terms, upon which the difference had been compromised, were an entire secret to him; but, if it should hereafter appear, that any concessions had been made, humiliating to the country, or dishonourable in themselves, he would be the first man to stand up in the house and stigmatise them as they deserved.

A discussion somewhat curious in its nature now followed between Mr. Fox and Mr. Pitt. By the latter it was remarked, that he concurred in the general joy, in finding that Mr. Newnham had at last discovered, in consequence of steps very recently pursued by the prince of Wales, that the measure, which he had undertaken, was unnecessary. For himself he could not

avoid declaring, that, as he had all along regarded it as superfluous, so he did not now see that it was more so, than at the time when the notice was given. Mr. Fox was as much convinced, that the motion had been necessary, as he was at that moment persuaded that it was necessary no longer. Mr. Pitt in reply expressed his aversion to the saying any thing, which might lead to a discussion of the subject; but he must declare, that he knew of no alteration in the circumstances of the case, and was confident, that nothing had taken place, which might not equally have been brought about without any such interference, as that which had been resorted to. As to what Mr. Rolle had said of terms and conditions, he knew of none which had been made. There were no concessions of any sort on the part of that person, who was the highest and most distinguished on the present occasion. His conduct had been uniform and consistent, and he had not in any one instance departed from those principles, which had all along influenced his proceedings. Mr. Fox acknowledged, that the mention of any thing like terms was highly improper and objectionable; but, as Mr. Pitt had chosen to say, that the conduct of one party had been uniform and consistent, it became his duty to declare, that the conduct of the other party alluded to had been equally uniform, perfectly respectful, and entitled to the highest commendation.

Mr. Sheridan saw no reason why the conversation should be prolonged, nor on the other hand did he conceive, that a necessity for abridging it could arise from any apprehension, that it might terminate in alteration or difference of opinion. He would not enter into the distinctions

fictions which Mr. Pitt had attempted to make; and, if the object of them were to insinuate, that the merit of the reconciliation belonged exclusively to the ministers of the sovereign, he should leave them to the consciousness of that merit. Opposition were ready to waive every title to credit, since, in truth, the measures, which had been adopted, were the result of the prince's own judgment, which none, but those who did not know him, could consider, as needing the assistance or council of any other person. Mr. Sheridan reminded the house, that the prince had shrunk from no enquiry, though he acknowledged that no such idea's having been pursued, was a matter, that did credit to the decorum, the dignity and the feelings of parliament. But, while the prince's feelings had no doubt been considered on the occasion, he must take the liberty of saying, however some might think it a subordinate consideration, that there was another person, entitled in the judgment of every delicate and honourable mind to the same attention; one, whom he would not venture otherwise to describe, than by saying, it was a name, which malice or ignorance alone could attempt to injure, and whose conduct and character were entitled to the truest respect.

Fourteen days subsequent to this conversation a message from the king was delivered to both houses of parliament, informing them, that it was with great concern he had to acquaint them, that from the accounts of the prince of Wales it appeared, that he had incurred a debt to a large amount, which, if left to be discharged out of his annual income, would render it impossible for him to support an establishment, suited to his rank and

station. Painful, as it was at all times to the king, to propose any addition to the heavy expences of his people, he was induced to the present application from his paternal affection to the prince of Wales. He could not however expect or desire the assistance of parliament, but on a well grounded expectation, that the prince would avoid contracting any debts in future. With a view to this object the king had directed a sum of 10,000*l.* per annum to be paid out of the civil list, in addition to his former allowance; and he had the satisfaction to observe, that the prince had given the fullest assurance of his determination to confine his future expences within his income, and had settled a plan and fixed an order in those expences, which, it was trusted, would effectually secure the due execution of his intentions. The king farther recommended to parliament the completing in a proper manner the works that had been undertaken at Carlton-house.

Mr. Rolle was the only person who spoke upon the occasion of delivering this message. He observed however, that he would not anticipate the subsequent debate. The accounts were presented on the Wednesday following, and on the next day an address was voted to the king, to request him to direct the sum of 161,000*l.* to be paid out of the civil list for the full discharge of the debts of the prince of Wales, and the sum of 20,000*l.* on account of the works at Carlton-house.

On the fifteenth of May a question was brought forward by Mr. Charles Grey, which engaged the attention of the public, probably more from the ability of the person who introduced it, and from the singularity of some circumstances that

that attended it, than from its intrinsic importance. The subject of Mr. Grey's disquisition was certain abuses in the post-office, and particularly the dismissal of the earl of Tankerville, to whom Mr. Grey was related, from the office of postmaster-general. Mr. Grey entered upon his speech, with a disavowal of any personal motive for his conduct, and a declaration that the higher consideration of what was the duty of a member of parliament, compelled him to come forward in this business upon public principles. Having mentioned the particular abuses of office, Mr. Grey proceeded to bring his charge home to the minister. He declared, that lord Tankerville, while in office, had busied himself attentively in endeavouring to correct the defects of his department, had suggested several plans of prevention, and had communicated these plans to the minister. Mr. Pitt had bestowed his commendation upon that nobleman for his zeal and attention, and had promised him his support; but, as lord Carteret could not be prevailed upon to see the abuses in the same light, or to exert the same industry for their cure, these two noblemen quarrelled, and it became impossible that they should continue joint postmasters-general. An ordinary observer would have imagined, that the minister would not have dismissed the postmaster-general, who had shown himself anxious for a reform, but him, who was a protector of the abuses in question. In fact however lord Tankerville had been dismissed, and that on a sudden, and in a manner the most unexampled and extraordinary. Mr. Grey reasoned upon these circumstances, and said, that it was clear there could be no other motive for the dismissal, than that lord Tan-

kerville had preferred his duty to every other consideration. He therefore conceived, that Mr. Pitt had acted in a manner deserving of censure; and, in order to bring home his accusations to him and to lord Carteret, he moved, that a committee should be appointed to enquire into certain abuses in the post-office.

Mr. Pitt declared that he had no intention to oppose the motion of Mr. Grey. He should at all times feel himself disposed to allow enquiries of this sort, when there was no evident and palpable impropriety in indulging them. As to the charge, that he was inclined to wink at abuses in the Post-office, or any other public establishment, it was wholly unwarranted in fact, and unfounded in any reasonable presumption. So far was he from any backwardness for the reforming any abuses in that office, that he had suggested a measure for the remedy of the very defects in question, and that measure formed a part of his office reform-bill. Mr. Sheridan in reply observed, that the matter respecting Mr. Pitt, which had been stated by Mr. Grey, was certainly a serious ground of enquiry, and by so much the more so, as no man in that house dealt more in professions. He should be glad, that Mr. Pitt should be tried by his conduct, and not by his professions, or by the preamble of bills, which he had proposed and carried through parliament. As to the office reform-bill to which he had alluded, it was a bill, that had passed more than two years ago, and yet the house had heard nothing of its effects as to the abuses in the post-office. Mr. Sheridan reminded the house of Mr. Pitt's eagerness to triumph over lord North by his famous speech about whip-

whipcord and the kitchens of Downing-street-house, which, when he had first possessed the appointment of chancellor of the exchequer, he had stated, as instances of that nobleman's negligence and corruption. If Mr. Pitt could not be directly charged with a corrupt use of the influence of the crown, it was at least true, that he had made as prudent and as intersticed a use of it as any minister, in the distribution of places and emoluments; and still more of titles and honours.

Mr. Pitt rejoined, that, with regard to nothing having been done by him in the way of reform, he could not answer that charge better, than by desiring any man, to look at the state of the country at the time that he had come into office and now, and then say if nothing had been done. Mr. Pitt corrected the chronology of Mr. Sheridan's allusion, and observed, that he had stated certain articles respecting lord North, not when he was chancellor of the exchequer, but during the coalition administration; and that he had not stated them, as personal charges, or charges of corruption, but as a proof of the want of regulation in the particulars to which they referred. Mr. Adam confirmed the correction of Mr. Pitt, and observed, that so true was it, that his attack upon lord North had been made subsequently to the coalition, that Mr. Pitt would not have presumed to say a syllable of that nature, while lord North was out of office, and when he thought he might have prevailed upon him to join him. Mr. Fox confirmed this remark, and said, that, when Mr. Pitt had stood up, in 1783, after lord North had been driven from office, and had declared against a retrospection with a view to punish-

ment, it had been imagined and understood, that he wished to court that nobleman with a view to a junction. Mr. Pitt asked across the house, who there was that had understood so? Mr. Fox replied, that he had for one, and that he had reason to believe the same of many others; from the conversation he had then held with them. Certain it was, that, before the coalition, Mr. Pitt had never expressed himself with that acrimony, which he had since employed in speaking of lord North. Mr. Pitt asserted, that the suspicion was altogether void of any foundation in fact.

To this altercation another immediately succeeded between Mr. Pitt and Mr. Grey. It was observed by the latter, that Mr. Pitt had employed an argument, which seemed to imply, that the motion under consideration had sprung from motives of personal pique or resentment; an idea, which he thought unwarrantable and injurious to his honour; adding at the same time, that no man should dare to question the purity of the principles upon which he acted. Mr. Pitt answered, that Mr. Grey arrogated somewhat too much to himself, if he conceived, that he should not take the liberty of calling his motives in question, as often as his conduct warranted such a freedom. If he chose not to have his motives questioned, he must take care, that his conduct was such, as not to make it necessary. Mr. Grey replied, that he should never act in that house upon any principle, which did not appear to him to be honourable; and, while he was conscious to the rectitude of his conduct, if any person chose to impute dishonourable motives to him, he had the means in his power, to which it would then be proper to resort. Here

Mr.

Mr. Sheridan interfered; but Mr. Pitt, rising again, declared, that he had not before spoken with heat, nor should there be any heat in what he was going to say. He repeated the argument of his former speech, and added, that, with respect to any means, to which Mr. Grey in this case might wish to resort, it would be for himself to determine whether they were proper or not. A committee was then chosen, and lord viscount Maitland, as the friend of lord Carteret, was appointed one of its members.

On the twenty-first of May Mr. Grey observed, that the intended report of the committee was nearly complete, with respect to those points, which he had first suggested as the object of their enquiry. There were however other abuses, and a farther investigation, into which he was desirous to enter, and the rather, as lord Maitland, one of the members, had started some new facts, and proposed other topics. He therefore moved, that the committee should have leave to report from time to time. Lord Maitland confessed, that he had stated some facts respecting abuses in the post-office during the administration of lord Tankerville, and he was free to acknowledge, that the evidence he had called had not gone so far as he had wished. The motion was negatived.

Two days after, the report of the committee was presented to the house, and, upon a motion for its being printed, the house divided, yeas 16, noes 120. The substance of the report was, that Mr. Lees, on his receiving the office of secretary to the post-office in Ireland, had entered into a security to pay the sum of 350l. per annum, out of the profits of his office, to a person no otherwise described, than by

the letters A. B. A similar annuity of 200l. had been exacted from a Mr. Dashiwood, appointed to the office of postmaster-general in Jamaica, for the same person. It appeared, that this person was a Mr. Treves, an intimate friend of lord Carteret, but who had never performed any service in the post-office, or in any other public department, to entitle him to such a reward. The report enumerated some lesser abuses in the disposition of emoluments, and the regulation of packets; and stated, that lord Tankerville, having made certain representations upon these heads to the minister, and having been led to believe that he should be supported in their correction, was soon after removed from his office of postmaster-general. It was added, that this and other abuses seemed to call more especially for enquiry and reform, as the commissioners appointed two years ago to examine into fees, gratuities, perquisites and emoluments, had not hitherto made any enquiry into the abuses of the post-office.

Monday the twenty-eighth of May was the day appointed for taking into final consideration the report of the committee. Upon this occasion Mr. Grey observed, that he had perfectly completed what he had originally stated to the house. The abuses he had then described, were now ascertained by unquestionable evidence. He should not however wonder, if the charges he had made were to appear light and trivial in the eyes of the house, or at least were to be so stated by the persons against whom they operated. All charges must indeed seem trivial, when compared with those enormous and flagitious charges, in the investigation of which the house had been so long and so solemnly

engaged. The charges however, upon which he was to expatiate, pointed to gross malversation in office, to illegal bargain and sale of public situations, to connivance at fraudulent abuse, to the dismissal and disgrace of those who had shown themselves anxious for reform, and to the countenance and protection of those by whom it had been opposed. Speaking of the dismissal of lord Tankerville, Mr. Grey said, that he had been sacrificed for the sake of arrangements in favour of a nobleman, [lord Hawkesbury] who had seated Mr. Pitt in his present situation, and against whose interest the dismissal of a whole administration did not weigh a feather. Mr. Grey moved, that it appeared to the house "that great abuses had prevailed in the post-office, and that, having been made known to his majesty's ministers, it was their duty without loss of time to make use of such measures, as were proper to reform them." The motion was seconded by sir John Aubrey, one of the lords of the treasury.

Mr. Baring rose in defence of the commissioners under the office reform-bill, of which he was one. He said, they had first gone into the old board of trade office, next into the secretary of state's office, and then to the admiralty-office; from thence into the pay-office of the navy, and they were now in the navy-office. He observed, that they were not directed by the act to make reports to that house, but to the lords of the treasury. The fact was, they had made three reports long ago, and should have made another before now, had it not been for the extreme arduousness of their present object of enquiry. Mr. Baring concluded, that he could sooner compose a whole report, like

those of the commissioners of accounts, than write a single line of such a report, as ought to come from the commission of which he was a member.

Mr. Pitt began with observing upon the singularity of Mr. Grey's conduct, who had commenced his political career in an early part of the session with an opposition, a reluctant one, as he had said, to a particular measure of government, and had accompanied that opposition with professions of great personal regard for himself, and of a desire, as far as he could do it consistently with his duty as a member of parliament, to give his general support to administration. Notwithstanding this, Mr. Pitt could not but say, that he thought the present a wanton attack upon government, an attack conducted in a manner highly personal and disrespectful to him, and which favoured of the utmost asperity of party. All, that could be done in the work of reformation, ought to be done by the executive government; and, in such trivial instances, resort could only be had to parliament, when it should appear, that administration had obstinately neglected that necessary part of their duty. Mr. Pitt appealed to the office reform-bill, to determine whether such a neglect was imputable to him. He observed, that it had been thought advisable for the commissioners to begin with departments of the highest rank, in order to remove any impression, as if their examination were a derogation from the dignity of those, who presided over the several offices. They were now in the navy-office, and he believed, that no person, who knew the nature of that department, would bring it into comparison with the petty abuses of the post-office, or

would

would with its examination and reform to be delayed for an hour. Mr. Pitt added, that the necessity of removing one of the postmasters, had afforded an opportunity of accommodating lord Hawkesbury, but that it was not true, that the vacancy had been made upon his account. To that nobleman gentlemen might allude as often and in what manner they pleased, so long as he was persuaded, that every favour which was conferred upon him, since he had any share in administration, had been fully earned by the most able and meritorious services. He acknowledged that the annual allowance to Mr. Treves was certainly an abuse, and one which the house ought not to countenance; but upon the whole the circumstances were not attended even with any imputed corruption in lord Carteret, nor was the subject by any means of sufficient consequence for parliamentary censure.

Mr. Sheridan observed, that Mr. Pitt had animadverted with great apparent firmness upon what had been said by Mr. Grey; but he must excuse him, if he did not give entire credit to the manner of those animadversions, but on the contrary took the liberty of asserting, that the minister felt, and severely felt the reprehension that had been given. He denied that Mr. Grey had professed any personal respect for Mr. Pitt, but had merely given him credit for the goodness of his intention, and had asked the same credit in return. If Mr. Grey had said any thing improper, though he were a young member, yet, considering the talents and ability he had shown, he would agree, that such a young member was as little pardonable for any error, as the oldest member of the house. On

the present occasion however he must assert, that he had not merited the reproof, which the minister, the veteran statesman of four years experience, the Nestor of twenty-five, had been pleased to bestow upon him. Mr. Sheridan recurred to the office reform-bill, and remarked, that the transaction of Mr. Treves came within the meaning of a clause, by which it was declared, that any person guilty of such practices should be incapable of serving his majesty in any civil capacity. It was a singular account that Mr. Baring had given of the proceedings of the commissioners. They had gone first into the office of the old board of trade, to enquire what abuses had formerly been practised in an office that no longer existed. They had gone next into the secretary of state's office, an office of all others least liable to abuse. If there were any abuse, it was, that the deputy secretary of state, whose duty was arduous and important, was by no means sufficiently paid. Mr. Sheridan had never considered the office reform-bill as a proscription of all future enquiry. But from Mr. Pitt's argument of that day it appeared, that he had surrendered his understanding, when he brought in his bill, and was determined to hear only with Mr. Baring's ears, and to see with the eyes of sir John Dick: two of the commissioners, the former of whom is deaf, and the latter blind.

Mr. Fox remarked that he thought the whole proceeding extraordinary, and, with regard to the member who had brought forward the enquiry, unfair and unhandsome. If it had been meant to do nothing, why did they suffer the committee to be appointed at all? The fact was, that, when Mr. Pitt con-

sented, he had thought, that Mr. Grey could not prove his facts, and that the whole would end in his disappointment and disgrace. Mr. Fox observed, that Mr. Pitt had now for the first time publicly boasted of the services of lord Hawkesbury. In the hour of danger and contest his name had never ventured to be mentioned. He examined lord Hawkesbury's claims to applause, and said, that, exclusively of those parts of his conduct, which he had uniformly denied, but which they knew to be true, his public life had been as little distinguished by acts of meritorious services, as that of any man living. Mr. Fox replied to what Mr. Pitt had said of Mr. Grey's being a party man, and

declared, that he was not of that description, but he hoped, that by degrees he might become so. As long as there were great constitutional questions respecting which men differed in opinion, to be a party man was to act most honourably. Mr. Fox said, that he should vote for the question, though he had not advised the bringing it forward, nor should have recommended it, because he did not think it of a size proportioned to Mr. Grey's character and importance. Lord Maitland having moved the previous question, it was carried without a division, and the farther consideration of the report adjourned to that day three months.



C H A P. VII.

Impeachment of Mr. Hastings. Charge of the Robilla War negatived. Charge of expelling the Raja of Benares adopted by the House of Commons.

IN our preceding volume we brought down the affair of the impeachment of Mr. Hastings to the period, in which Mr. Burke had surmounted the numerous obstacles which opposed his undertaking, and the general indisposition that prevailed to the discussion of the subject, so far as to come to the regular opening of the first charge on the first day of June 1786. We there suspended our narrative, that we might be enabled in the present volume to take a comprehensive view of the whole subject, so far as it was discussed, in order to the joining the several charges of impeachment, and the conducting the business in its due form to the bar of the house of lords.

A business of this sort is somewhat different from the general course of parliamentary transactions, and might be supposed to require to be treated in a different manner. To record only the speeches of the several debaters might appear to be the business of a parliamentary register. To enter minutely into the several topics of evidence would be to encroach upon the office of a state trial. To examine the motives of the accusers, and the character of the accused; to investigate the necessity of the prosecution, the propriety of the proceedings, and the legality or rectitude of the measure; finally, to ascertain the consequences, that must result from such

such a prosecution, whether the accused person be found guilty, or whether he be acquitted, these are what constitute the province of history. But we feel our incapacity to fill this province. The materials before us are of course imperfect, evidence remains to be produced of which we cannot precisely ascertain the nature and the force, and the general catastrophe is essentially necessary to give luminousness and demonstration to the whole. The proceedings of the trial will hereafter be published, and it is not impossible, that the best informed mind should feel and think differently, when he rises from the perusal of that grand volume, than when he is judging only from partial, scattered and desultory extracts. It is impossible that the most enlightened mind should not derive some information from that source. But, if our judgment were ever so complete, and our confidence ever so unbounded, we could not express ourselves with the necessary freedom, when we consider that the trial is depending at the moment in which we write. Pressed then on the one hand with these and many other obvious disadvantages, and on the other with the nature of our undertaking and the impatience of our readers, we shall be excused in attempting nothing more, than an abridgement of the arguments that were employed upon the subject. Even here we are not wholly at our ease, owing to that indisposition for the subject to which we have already alluded. One of our newspaper compilers of debates has apologised for his absence from an important discussion in the beginning of the prosecution, by observing, "that he did not imagine the public would show any great eagerness, to listen to the tail of an old Tong."

It is out of these heads and tails of a debate, out of these disjointed members of some of the noblest exhibitions of oratory that the world has produced, that we are to compile our account.

Mr. Burke introduced his motion for impeaching Mr. Hastings on the ground of the Rohilla war, with several reflections on the merits of the prosecution. He spoke with great emphasis of the magnitude of the subject, and solemnly invoked the attention of the house. The charge must either be in a high degree criminal, or it must be an unjust and false accusation. There was no medium and no alternative. Either Mr. Hastings had been guilty of gross, enormous and flagitious crimes; or he was a base, calumnious, wicked and malicious accuser. He stated a high degree of guilt as ascribable to that man, who should urge groundless and ill-founded charges, against a person who had been intrusted with the government of a part of our territories, larger and more extensive than the whole island of Great Britain. For a private man, to suggest such charges would be to be guilty of a scandalous libel; and for a man to endeavour to obtain for himself the colour of authority, and to seek to hurl down the thunder of parliamentary vengeance upon the head of an innocent individual, deserved to rouse the justice, and call down the punishment of the house. He had made up his mind completely upon the subject, and was prepared to submit to the severest penalty, should it appear, that he had wantonly and rashly preferred a groundless charge. There were but three motives, that were known to actuate men, and to excite them to turn accusers; ignorance, inadvertency and passion.

By none of these three had he been influenced. Ignorance he could not plead, because he knew the subject, as fully as the labour of five years could make him know it. Inadvertency could not be imputed to him, because he had proceeded with deliberation, and had examined every step he took in the business with the most minute and cautious attention. Least of all could it be said with any colour of truth, that he had been actuated by passion! Anger indeed he had felt, but not a blameable and inordinate anger; for who had ever heard in that sense, of an enquiring anger, a digesting anger, a collating anger, an examining anger, a deliberating anger or a selecting anger? The anger, which he felt, was an uniform, steady, public anger; that anger, that five years ago warmed his breast, he felt precisely now. He was, in respect to the British government in India, exactly in the same situation, as when he had first entered upon the subject. Not all the various occurrences of the last five years, nor five changes of administration; nor the retirement of summer, nor the occupation of winter; neither his public nor his private avocations, nor the snow which in that period had so plentifully showered on his head, had been able to cool that anger, which he acknowledged himself to feel as a public man, but which as a private individual he had never felt for a moment.

The question, which he was now to submit to the consideration of parliament, was not a personal contest, was not a matter of trifling municipal regulation, but was a national and imperial question, involving the honour of the country, and more particularly the honour of that house. They stood pledged

by the resolutions of 1782 to bring it forward. Let not their honour be tarnished, let their character be safe, and let it be said of their justice *Esto perpetua*, whatever might become of him. In fact, what they had to vote that day was not the case of Mr. Hastings. The code of political government, which they should now establish for the distant provinces of the empire, would stand recorded, as a lasting proof of their equity and wisdom, or an indelible test of their injustice and folly. Lord Cornwallis, who was now going out with great additional powers to India, would learn from the decision of that day, what the system and what the principles of government were, which the house approved.

Mr. Burke drew a parallel between the mode of government adopted by the Roman empire for her distant provinces, and the situation in that respect of Great Britain. The Roman empire was nearly continuous in its surface, and its provinces were either accessible by land, or divided only by a narrow arm of the sea. They had one general language, that of Greece, which was understood through every part of the empire, and with which every man could tell his tale in his own way. They had another advantage, a melancholy one indeed, as it rose from the very circumstance of their being conquered, that the principal persons, who accomplished the conquest, acquired a property and influence in the province subdued; and of consequence the vanquished found patrons and protectors ready to assist them in the heart of the empire. Beside this, each province was considered as a body corporate, and was enabled to state its grievances collectively, and as speaking with one mouth.

The character of an accuser in Rome was highly respected, and great were the privileges with which he was indulged, in order to bring his charges home against a state delinquent. How different was the situation of an accuser in the present day, and how extremely difficult was it to urge any accusation with effect against a British governor? When he considered that Mr. Hastings had for fourteen years been at the head of the government in India, and that not one complaint had been sent home against him, he trembled at the enormous degree of power, with which he had to contend, and to which alone he could ascribe the silence in question. Since it was not in human nature, situated as Mr. Hastings was, to preserve so pure, even handed and unimpeachable a conduct, as to afford no room for a single accusation to be charged against him. Mr. Burke had never seen the face of a native of India in this country, except that of a single inhabitant of the Maratta state, and it was well known how mad would be the attempt, for any oppressed native of Indostan to come to England, to urge his complaint against the grievous oppressions under which he laboured. These were additional considerations, that ought to operate with the house, and induce them still more anxiously to exert themselves, to convince all India by their decision, that they were the steady friends of freedom and justice, ever ready to relieve the oppressed, and to punish the oppressor.

Mr. Burke introduced the immediate consideration of the charge by remarking, that, had Mr. Hastings so conducted his government, as to leave a country, which he had found rich and fertile, increased in its cultivation and produce;

had he left its nobility in possession of their ancient honours and fortunes, its merchants in pursuit of an improved and advantageous commerce, productive of a still more enlarged return of wealth and usury upon their capital; had he employed their husbandmen in carrying their victorious ploughshares into deserts and woods, and warring against destruction, solitude and famine; he would in that case have said to the governor general, "I enquire not into your particular conduct, I am satisfied with the result; I want not to know whether you made two or three or five hundred thousand pounds; keep what you have got: you have made a numerous people rich and happy; you have increased the commerce of the country, enlarged its means of wealth, and improved its revenues; and, in doing that, you have reflected honour and lustre on the character of the British nation."

Just such a people had the Rohillas been previously to their extermination; but, alas, they were now banished, and their country no longer afforded the spectacle of that luxuriant garden, which it had formerly exhibited. Mr. Burke imputed the disastrous fate of the Rohilla tribes, to the violent spirit of rapacity, which had influenced the contracting powers in meditating and accomplishing their ruin. Mr. Hastings declared, that he had no other guide, than the history of the country, and the mad career of its conquerors and usurpers; and was that the rule, by which the civil governor of a distant province was to model his conduct? Timur in particular, had left behind him institutes, which were replete with the soundest maxims of morality and policy. If he

must necessarily recur to the maxims of conquerors, why had not Mr. Hastings adopted for his direction such maxims as these? The truth was, they were not calculated to have justified his extortions and speculation. The political maxims of a heathen prince did not correspond with the propensities of a Christian governor. It was a tenet in politics, which he had ever held, that all British governors were obliged to conduct themselves by the rules of law. It could not indeed be expected in India that they could practise *Magna Charta*; but they had the laws of nature and nations, the great and fundamental axioms, upon which every form of society was built, to direct them; and whoever in high and ostensible situation did not conform to a mode of government thus eligible and indispensable, ought to be found defective in the radical duties of his station.

Mr. Burke recurred to the observations he had formerly made, upon the uniform disobedience of orders from home, that had characterised the administration of Mr. Hastings. It had been said, that, in the government of a distant country, a certain degree of discretion must necessarily be indulged; the situations varied and a different conduct became eligible. But this was not true; where the situation really changed, the order in fact ceased to exist, and disobedience was impossible. The disobedience of orders, with which he had charged Mr. Hastings, was where he had contested the point of judgment with his constituents, and where, oftener than once, he had proved refractory, merely for the pleasure of displaying his independence. In all such cases he had arrogated to himself a dispensing power; and

with what consistency or decency could a British house of commons admit that with impunity in a subject, which they had so signally refused to forgive in a sovereign?

Mr. Burke entered minutely into the detail of the Rohilla war, and undertook to show, that it both originated, and had been carried on by the special agency of Mr. Hastings. Suja ul Dowla, the late nabob of Oude, was a monster of ferocity and cruelty, and his enmity to the Kohillas had been base, perfidious and ungrateful in the extreme. When expelled from his native dominions by the company's forces in their wars with Cossim Ali Khan, he had found an asylum among the Rohilla chiefs. And what had been his conduct upon that occasion? He was astonished at the flourishing condition of Rohiland. It was such a paradise, as he had not before seen; and he regarded its populous and splendid towns, its beautiful villas, and its rich vineyards, with the eye of jealousy and envy. This was the origin of all the mischief, which had befallen that innocent and industrious people. He had lived among them during the dreadful storm that wasted his own dominions, as the devil had hovered for a while in the garden of Eden. But, with all his malignant intentions, he was incapable singly of effecting his diabolical purpose; and he had been obliged to engage a British governor general for a sum of money, to extirpate a nation, with whom neither parties had the shadow of a quarrel.

Mr. Burke deprecated the use of the sword in the hands of a magistrate. It was a thousand times safer in those of a soldier by profession. The former might give a licence, but had rarely the power of restraint.

fraint. He might let a licentious soldiery loose, but how could he prevent their outrages, and by what means recal them to a sense of their duty? This military men only, by the habits of order to which those under their command were reduced, were able to effect. Mr. Hastings, impotent in this respect, had delivered a formidable army into the direction of a remorseless villain, whose mind was as destitute of discipline, as his heart was of principle.

After having stated the facts of the charge with great poignancy and force, Mr. Burke called the attention of the house to the millions of their fellow creatures, who had no other prospect of relief, than that which they derived from parliament. This was the only door of mercy that was open to them. He did not threaten the house with the effects of their disappointment. They were not likely soon to avenge their own wrongs; they had yielded up their all. He requested his hearers to consider, how the people of England would feel, or how the fact would be regarded in Europe, were all the principal men of property to be driven out of the island to the amount of sixty thousand? It was not the peasantry in any country, who were immediately affected either by conquest or extirpation. It was the chief landholders, the principal manufacturers, the nobles, the superior clergy, and the men of property of all ranks, who were immolated at the shrine of ambition. Mr. Burke instituted a comparison between conquest and extirpation. The motive, the object and the consequences were materially different. There was some degree of glory, in acquiring the government of a respectable race of men,

in improving them in science or in morals, in making them more happy or more rich; but the act of extirpation was base and ignoble, the object of a mean, plodding and vulgar mind. It was a traffic of blood, and abhorrent to every generous and manly feeling. He would therefore leave the whole to be decided upon by their hearts and their consciences, as they should answer it to their country, to posterity, to their own minds, and to God, who was the searcher of hearts.

Mr. Hardinge spoke in support of the motion. He said, that ample proof had been laid before the house of that probable ground of accusation, upon which it was their duty, as the first and great inquest of the nation, to put every public man upon his account. He did not say, that Mr. Hastings would be convicted upon his impeachment; he did not say, that, if he were tried and acquitted, the example, which was due to the national honour, would be made; but he would affirm, that, if he were screened from accusation, the disgrace of the measure would adhere to this government for ages to come. His first and capital objection to the Rohilla war was its glaring injustice; and he hoped, that those pernicious tenets, which had excluded political morality from the system of ethics in the case of lord Clive, which had poisoned the house of commons in those days, and had been displayed with fatal effect in all the alluring colours of eloquence, would never again be revived. The Rohilla war was unjust, because the punishment was beyond the guilt, the compensation beyond all bounds of an equivalent for the loss. It was unjust, because the fact alleged against

gainst the Rohillas by Suja ul Dowla, as a ground of hostility, was never ascertained. It was unjust, because, if the fact had been ascertained, we had no sort of concern with it. The idea of a guarantee in this case, was absurd in itself, had not been thought of till after the event it was intended to justify, and, if it had existed, bound us to co-operate as much with the Rohillas as with the nabob of Oude. Lastly, the war was unjust, because the real motive for undertaking it was not our alliance with Suja ul Dowla, but the acquisition of a sum of money. It made the East India company the mercenaries of ambition, of cruelty and revenge.

As to the impolicy of the measure, though he agreed upon that head with the uniform opinion of the company at home, yet he thought it absurd to reason the point, where the measure was to so extreme a degree violent and tyrannical. One article of impolicy he would mention, because it was connected with what he had already said. It was an impolitic measure, because it sunk and polluted the national character, when it stamped upon record the ignominious idea, that the English nation and sword could be the hired instruments of an Asiatic tyrant in a war, which professed extermination for its object; extermination of a whole race, independent of him, and whose offence to him, for it was none to us, in the worst colours of it might have been expiated by an atonement, infinitely short of these detestable extremities. Mr. Hardinge remarked upon the supposed bar to this impeachment from the length of time, and from the reappointment of Mr. Hastings by the act of the legislature. With the minister who had recommended

that reappointment he thought the argument was unanswerable; and nothing would astonish him more even in these days, than to see lord North vote for the impeachment upon this question. But how did the argument affect the public justice of the kingdom? That nobleman had kept the intelligence a perfect secret from parliament. It was a dangerous doctrine, that even a legislature, so governed as that which lord North had had the honour of conducting, could fetter the kingdom at large, or the government when in better hands. But the danger was multiplied an hundred fold, if their act were the result of the delusion he had practised upon them. If parliament could thus be restrained, the restraint must have operated upon them with peculiar force in the year 1782, to prevent them from inquiring into the Rohilla war, while the party was in the act of serving the public upon the faith and credit of that new appointment.

Lord North entered into a vindication of his conduct. When the bill of 1773, appointing a new constitution for the East India company, had been under the discussion of parliament, the news of the Rohilla war and of its circumstances had not reached this country. He had then moved, to nominate Mr. Hastings to the office of governor general for five years, and by the same bill general Clavering, Mr. Monson, and Mr. Francis had been appointed to assist him in his government. Soon after the arrival of the new council in India, they had sent home complaints against the governor general on the subject of the Rohilla war, stating such facts as had then come to their knowledge. As soon as he was apprised

of these facts, he had thought Mr. Hastings's conduct highly censurable, and had sent to the court of directors, to desire them to make every possible exertion for his recall or dismissal. His advice had been adopted, and the vote of the directors for that purpose had been rendered abortive by the court of proprietors. At a subsequent period two gentlemen from India had stated to the company, that they were authorized to propose Mr. Hastings's resignation. The resignation had been accepted, and Mr. Wheeler appointed to succeed him; but the measure had been rendered abortive by Mr. Hastings's refusing to acknowledge that the gentlemen were properly authorized. In 1778 and 1781, when farther bills had been passed, we were involved in an extensive war, and he had not thought that a fit time, to make an alteration in the constitution of our government in India.

Mr. Francis related the particulars of the conduct and sentiments of the council, which had been sent out to India in 1773. General Clavering and colonel Monson were men, who carried with them from England characters unimpeached, and their residence in India had brought them an accession of fame, by the display it had made of their integrity and independence. They, as well as himself, had gone out to India, not only well disposed to Mr. Hastings, but impressed with great reverence for his abilities, and confidence in his good intentions and his virtues. Sir John Clavering had personally solicited the king for some mark of his favour to carry out to the governor general. There was no jealousy or enmity in their breasts, and they did not look forward to the recall

of Mr. Hastings, as the means of their own aggrandisement. But they were no sooner arrived in India, than they saw reason to alter their opinions. Before they had set foot upon shore, complaints and representations had reached them from all hands of the enormities of the Rohilla war, and from that moment they commenced a determined opposition to the governor general. Was it to be supposed, that this sudden revolution originated in party or intrigue, or was owing to pique, ill will, or resentment?

Lord Mulgrave entered into an elaborate defence of Mr. Hastings. He described the Rohillas, as a most faithless and treacherous race of men, and he declared, that Sujah Dowlah on his part had fully and literally performed all the stipulations of the treaty. It had been observed, that Mr. Hastings did not send a notification to Hafez Rahmet, before he determined to attack him. The breach of the treaty was apparent; and was it necessary for Mr. Hastings to have acted as a lawyer, and to have summoned both parties before him? It had been said, that the cause of the war had been the non payment of forty lacks of rupees; but that the punishment had gone much farther. This was a most extraordinary doctrine. Who had ever heard of a nation at war stopping at the precise point, when satisfaction for the original injury had been obtained? Did this nation act so with France, in the glorious war of 1756? It had also been observed, that, if we were bound by the guarantee, we acted unjustly in exacting new conditions from Sujah Dowlah. The fact was, that the breach of the treaty by the Rohillas fully justified us, in attacking them;

them, and that Mr. Hastings did perfectly right in obtaining the best terms he could for the company. Lord Mulgrave said, he would assume the justice, and would make out to a demonstration the wisdom and policy of the measure. We obtained a barrier for an ally, whose dominions had been perfectly secured by it from that time to this, a period of twelve years. We procured above a million sterling for the company. We secured the tranquillity of Oude upon the death of Suja ul Dowla, which happened a few months after the Rohilla war, and which could by no other means have been secured. In a word, every beneficial consequence, which had risen from our connection with Oude, was to be traced to the Rohilla war as to its source. Sir Robert Barker had objected to it, because he thought the addition of Rohilkund would make the nabob too powerful; but the event had proved, that, though sir Robert might be a good general, Mr. Hastings was by far the better politician. With respect to the conduct of the war, how easy was it to paint the horrors and cruelties of every war, that had ever been made? Whatever hardships was sustained by the Rohilla prisoners, it was clear, that, so far from being authorised by Mr. Hastings, he had instantly interfered to prevent them and in the most effectual manner. Of all the accusations that had been brought, lord Mulgrave had least expected to find a charge of cruelty. From whatever he had read relatively to our transactions in India, from the conversations he had had with respectable persons who had served there, he could safely affirm, that there never was a man more universally esteemed and beloved than Mr. Hastings. The Hindoos look-

ed up to him as the preservers of their temples; the Mussulmans, as the guardians of their mosques; and his own countrymen, as the man who had secured the empire of India to Great Britain. Mr. Grenville went over the same ground of argument as lord Mulgrave, and complained of the unfair manner in which Mr. Burke had opened the subject; as above two thirds of his speech had been devoted to aggravations of facts, stated in the other charges, and which bore no relation to the Rohilla war. Mr. Burton remarked, that humanity was the leading trait in Mr. Hastings's character, and that such was the tenderness of his nature, as even to approach to womanish weakness.

Mr. Powys objected to the form of the motion, which, as it had been presented by Mr. Burke, enumerated all the leading facts of the war, and for which he was not ready to vote. Several of the facts did not appear to him to have been proved, or, if proved, not to be criminal. If Mr. Burke would withdraw his motion, and put it generally, he should give it his support. Mr. Powys declared, that he saw no ground to impute either personal or vindictive motives to Mr. Hastings, and therefore desired to be understood, as by no means pledging himself, to vote for the other charges, or to carry up articles of impeachment to the house of lords, merely on the ground of the present resolution. Mr. Burke replied, that the motion had been drawn up in its present form at the request of Mr. Pitt; who had suggested, that it ought to be proposed as nearly as possible in the very form, in which it might probably be presented to the house of lords. Mr. Pitt now joined in the opinion

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of Mr. Powys; and, the argument being enforced by Mr. Wilberforce, the motion was altered, and the question stood, "that the house, having considered the article, and examined witnesses, was of opinion, that there was ground for charging Warren Hastings esquire with high crimes and misdemeanours upon the matter of that article."

The subject of the Rohilla war was discussed at great length, and examined with much anxiety by a multitude of the members of the house of commons, and upon this account the debate, after having continued till late in the morning, was adjourned to the next day. At that time a farther amendment to the resolution was suggested by Mr. William Young, who moved, that there should be added to it the words, "and for impeaching him thereupon." The reason he assigned for this motion was, that he professed himself an enemy to such an impeachment as that of the earl of Strafford, where the prisoner had been tried for his life upon an aggregate of several lesser charges, which taken together were supposed to amount to a charge of high treason. Mr. Fox professed equally to condemn the idea of trying a man upon an aggregate of charges, the whole of which together should amount to something different from each of them taken separately, but observed, that the case was widely different, when they were only finding a charge in the manner of a grand jury. He should have had no objection, had the proposed amendment stood as a part of the original question, as it was clear, that the minister and himself thought exactly in the same manner respecting it; but he did not like to adopt it as an addition, and he thought, that the word "and" seemed to im-

ply something more than either of them intended. Mr. Jenkinson urged the necessity of adopting the amendment; and a desultory conversation took place upon it of nearly three hours in continuance, in which some asperities passed between Mr. Fox and Mr. Pitt. The other speakers were Mr. Burke, Mr. Sheridan, Mr. Windham, Mr. Arden, Mr. John Scott, Mr. Powys, Mr. Wilberforce, general Norton and Mr. Rigby. At length it was moved by Mr. Pitt, to withdraw the proposed amendment, and to add the words "by impeachment" only to the motion.

In the course of the conversation Mr. Jenkinson owned, that he had interfered, and he trusted with influence, against the India bill of a former administration. This expression was caught hold of, and made the subject of severe ridicule by the leaders of opposition.

Mr. Fox expressed his apprehension, that there was an intention somewhere, to implicate the general question of impeachment, with the particular one of the justice of the Rohilla war. If any thing so unfair could really be meant, he trusted, that the house would see through so pitiful a manoeuvre, and treat it with reprobation. But, when he considered the time of its introduction, the engagement with the minister that each article should be decided on by itself, and especially the eagerness with which Mr. Jenkinson had interested himself in the issue of the debate, he could be at no loss how to account for this very extraordinary motion. Mr. Pitt's amendment was at length carried without a division; and, it having been farther moved by Mr. Bouvet, brother to the earl of Radnor, and seconded by Mr. Sheridan, to add to the resolution by way of

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farther amendment the words, "if any impeachment shall finally be preferred," the house divided, ayes 65, noes 40.

Mr. Wilberforce observed, that, had the motion continued in the shape, in which it had originally been introduced; he should have felt no difficulty in forming a decision, and could have contented himself with giving a silent vote; but, as the question then stood, he confessed, he was under no common embarrassment, and his feelings were of a nature so distressing, that he could not refrain from endeavouring as shortly as possible to explain them to the house. Mr. Wilberforce then entered into the particulars of the charge, and endeavoured to show that the various apologies, that had been extracted from the affair of the guarantee, from the supposed inclination of the Rohillas in favour of the Marattas, and from the ignorance of Mr. Hastings respecting the severities that were practised, were unfounded and inapplicable. At the same time he laid great stress upon the consideration, of Mr. Hastings's having been three times re-appointed to the government, since the affair of the Rohilla war. To put him afterwards upon his trial for that affair, what was it but to say to him, "You have committed an action, extremely criminal, and deserving of punishment; but we will not punish you at present. You are useful to us in your present situation, and therefore we will again and again re-appoint you. But, when, for a period of thirteen years, you shall have strained your faculties, you shall have racked your abilities, you shall have impaired your constitution, you shall have hazarded your life in our service, engaged in transactions of the most difficult and critical nature, which

must supply matter for the misrepresentations of your enemies, and enable them to obtain that sentence against you by prejudice, which they would in vain have attempted by argument; after all this, when you shall chuse to return to a life of quiet in your native country, we will then criminate you for your first offence, for then we shall not be sufferers by your punishment?" This was like the treatment we gave to some of the brute creatures, whose faithful services we at length rewarded by the knife of the butcher. No man, Mr. Wilberforce said, felt all this more strongly than he did; and yet, when an action like the present was brought before him, he could not but condemn it. He sincerely lamented the necessity, but there was no alternative, and he should therefore certainly give his vote for the motion.

Mr. Fox entered at large into every part of the question. He remarked with some degree of indignation upon the changes it had undergone, and the caprice that had been displayed upon the subject. It had been first proposed by Mr. Burke to try the charges generally, and this proposition had been disapproved. A charge, specific of particular facts, was demanded, and the demand had been complied with. A third change had been then desired, and it was thought most agreeable to move a question generally upon each charge. This had been accepted with equal facility. Had Mr. Fox foreseen the use that would have been made of these concessions, he would never have consented. He did not mean, that his dissent would have been of any avail, but he would have debated it to the last, rather than have suffered the motion to take the form, which it had now assumed. It had always been

been his opinion, that the best mode of proceeding in the business, was to move a general question, whether the whole of the charges contained matter of impeachment; and, if this had been the opinion of the house, then to consider, what particular articles were to make a part of that impeachment; and, had it not been that he confided in the declarations of Mr. Pitt, he would still have persisted in that manner of taking up the business. It was his opinion, that the number, as well as the weight of the crimes that might be found, should enter into the deliberation of gentlemen, who formed a resolution for impeachment; that the crimes should be great and enormous, and that they should not only bear that character, but in number be very considerable, in order that the aggregate, and not the individuals alone, might afford ground for inducing the house, to present them before the house of peers.

It had been said by some, that they saw too much of party spirit in this business. He agreed, that professions were nothing, but he could appeal to something better than professions. At a very early period, he had taken upon himself a part in bringing to justice crimes, committed in our Asiatic dominions, and that by a man, who had very considerable advantages in his favour. Great fame, great glory, great exertions for the service of his country, these had all existed in the character of lord Clive, but these he had valued at nothing. Under whose banners did Mr. Fox then contend? It was under the banners of the man, who was now at the head of the law and religion of this country, the present chancellor of Great Britain, who had treated with that manly eloquence, for which he was

distinguished, who had trusted, he might say, to atoms, every attempt to set up the services of lord Clive as a bar to his punishment. He would not suffer a word to be heard, he would not suffer mention to be made of so unworthy and unbecoming an argument; Mr. Fox had supported him; and, if he had done so with respect to lord Clive, he saw nothing in Mr. Hastings's conduct, to induce him to change his mode of action. He did not think, that in any capital instance he had been of great use to the company. In the same manner he had supported Mr. Dundas, in his efforts to punish the delinquency discovered in India, at a time when he disapproved of his politics, as much as he did now.

Mr. Fox adverted to the censures, which had been thrown out by Mr. Jenkinson and others upon the East India bill of 1783. He did not wish to call up this subject; but he knew what he owed to himself. He must take that opportunity to declare, that the bill was in his estimation the most important measure of his life. The principle, upon which it was built, he was satisfied was that, which alone was capable of maintaining order and preventing abuse in the government of those distant territories. Long had he revolved the plan in his own mind, and, when he came into office, he did not feel easy, till he had attempted to bring into existence, what he held to be so essential to the right administration of our government in that part of the world. Wherever triumph therefore was assumed by his adversaries in that business, he could assure them he felt himself little personally affected by it, and he declared, that, unless he had been able to accomplish the great point which had engrossed his

attention, he would not have remained one day in office. It was his ambition, to have the principle of that bill considered as the object, which above all others, he thought, it was most necessary for this country to attain. Those, who opposed it, had passed another bill, different in form, and founded on different maxims. What had they done? They had passed one bill in one year, and another in the next, and we saw them driven about from principle to principle, till they themselves could scarcely assign the ground of their proceeding.

Among other remarks upon the general subject of the debate, Mr. Fox observed upon the necessary effect of the Rohilla war with regard to the English national character. Mr. Hastings himself had exhibited an instance of acting upon the character of nations. He stated the character of the Rohillas, as a reason for their being exterminated. If we were to go upon this principle, and exterminate every nation that had brought a stain upon their policy, we should soon leave the face of the earth thinly inhabited; and, he was afraid, this kingdom would not hereafter be able to stand up with much confidence, if it should give its assent to the doctrines, which were that night endeavoured to be established. But it was not true, that there was any thing in the character of the Rohillas, to excite the indignation, or draw down the resentment of any people, least of all of Great Britain. They were a brave nation, and, what was singular, the only free nation in India. They governed the country, of which they were possessed, with a mildness, of which its flourishing condition, so as to be called the garden of Indostan, was an undeniable argument. They were

endowed with all those national virtues, which Britons had been accustomed to admire, and which connected countries, enjoying the blessings of liberty, by indissoluble ties. Ought not such a people to have met with sympathy and regard from our countrymen? Ought not a cause, such as theirs, to interest every British bosom? To mark out such a people, as the objects of avarice, or the victims of unprovoked resentment, to abandon them to the rod of tyranny and oppression, what conduct could be more derogatory to our character? What mode of procedure could more contaminate our pretensions to honour and humanity? The fact was indeed true, that men in all ages had been little governed in their actions by equity and justice; but seldom had it happened, that they had avowedly directed their conduct by principles so abhorrent to civilization and human nature. The war against the Rohillas was so complete an abandonment of all the leading principles of morality, that it was astonishing any man could attempt to defend it. If it should be supported by a British house of commons, it would be the greatest misfortune that could befall the nation.

Mr. Dundas took notice of the charge of inconsistency which was brought against him by Mr. Fox and Mr. Burke, and retorted it upon Mr. Anstruther, who had that night stood up as an advocate for the impeachment. Many persons might recollect the extraordinary zeal, with which the recal of Mr. Hastings had been opposed in the court of proprietors in 1782. Among those, who had stood forth on that occasion, Mr. Anstruther had been peculiarly strenuous, and, together with Mr. Dallas and others, had

had published his speech for the information of the public. He had then applauded the ability, the justice and the salutary effects of Mr. Hastings's administration, and had stated it as the extremity of absurdity and madness to recal him. Respecting the Rohilla war Mr. Dundas acknowledged, that he differed in opinion from Mr. Grenville and lord Mulgrave, but they differed only about past transactions, and not respecting matters to be decided on for the future. The policy of any great measure was, in his apprehension, the consideration to which they ought to advert, and, unless the measure were notoriously and flagrantly unjust, the expediency of it was a sufficient general justification. Mr. Dundas observed, that he stood in a singular predicament with respect to India. Having taken a public part in that house some years since, as president of the secret committee, which, upon the spur of a disaster, had been appointed to enquire into the affairs of the Carnatic, but which afterwards had found it necessary to extend their investigation, his opinions were known, and some of them recorded on the journals. With regard to the Rohilla war, an act of parliament had passed since that period, re-appointing Mr. Hastings governor-general of Bengal. The statute might be considered as a parliamentary pardon, and, unless some fresh circumstances of an aggravating nature had come to light, he saw no reason for calling Mr. Hastings to account for a transaction, which the house had so many years ago tacitly and by implication consented to pass over. As in 1782, neither he, nor any of the members of the secret committee, had entertained the idea of subjecting Mr. Hastings to a crimi-

nal prosecution, there could be no reason for his adopting new opinions, in compliment to the mover of the present charge. Mr. Strachey spoke in vindication of the character of lord Clive. Mr. Martin declared, that what he had heard on that and the preceding day, had considerably altered his opinion respecting Mr. Hastings, and he should vote for the question. The motion of Mr. Burke had originally been seconded by Mr. Wilbraham, and the other speakers on that side of the question were Mr. Windham, Mr. Michael Angelo Taylor and Mr. Frederic Montagu; the speakers in behalf of Mr. Hastings were Mr. Vansittart, Mr. Isaac Hawkins Browne, Mr. Hlay Campbel and Mr. Nichols. The debate was concluded with a remark from Mr. Burke, that, if the motion were negatived, he was determined, in justice to himself, to move the several facts on which it was founded in separate resolutions, that they might remain upon the journals. The house at length divided, ayes 67, noes 119. Mr. Pitt voted in the majority.

On the thirteenth of June the second charge, upon the subject of the fine and expulsion of the raja of Benares, was opened by Mr. Fox. He observed, that Cheit Sing, the raja in question, had been admitted to the succession of his father in the year 1770, through the interference of the English government. In 1774, the sovereignty paramount of the province of Benares was transferred from the nabob of Oude to the East India company. To obviate any misconstruction respecting the nature of the tenure, by which it was held by its native prince, Mr. Hastings at that time proposed, that whatever provision might be made in the intended treaty

for the interest of the company, should be made without any encroachment upon the rights of the raja, or upon the engagements actually subsisting with him. Mr. Hastings farther obtained for Cheit Sing, in addition to the prerogatives he formerly possessed, the right of coining money, and of criminal judicature in cases of life and death.

The resolution for this purpose was couched in the following words:

"That the perpetual and independent possession of the zemidary of Benares and its dependencies be confirmed and guaranteed to the raja Cheit Sing and his heirs forever, subject only to the annual payment of the revenue hitherto paid to the late nabob; and that no other demand should be made upon him either by the nabob of Oude or by this government." Mr. Fox

farther read to the same purpose the following article of the treaty proposed by Mr. Hastings in July

1775: "That, while the raja shall continue faithful to these engagements, and punctual in his payments, and shall pay due obedience to the authority of this government, no more demands shall be made upon him of any kind, nor shall any person be allowed upon any pretence, to interfere with his authority, or to disturb the peace of his country." Notwithstanding these declarations Mr. Hastings,

shortly after the death of sir John Clavering and Mr. Monson, without any previous general communication with the board, made an extraordinary demand upon the raja of 50,000 l. By what principle of construction was the meaning of the stipulation to be reconciled to this conduct? Was it to be understood to imply, "that, provided the zemidar should pay to the council such sums of money as

should be demanded from him over and above his stated annual tribute, that then they would demand from him no money whatever?" The requisition however was made, though on the express condition that the exaction should continue but for one year, and should not be drawn into a precedent. The raja murmured at it; but it was paid. The demand was repeated in a second and third year, and in like manner satisfied. Each of these demands was accompanied with menaces, and with various and extraordinary circumstances of vexation and despotism. Mr. Hastings had then demanded of the raja two thousand, afterwards fifteen hundred, and last of all, one thousand horse. Cheit Sing replied, that he had but one thousand three hundred horse distributed over his country, and that he could spare only five hundred, offering to accompany them with five hundred matchlock men.

Upon this, Mr. Hastings said in his defence, that "his patience was exhausted by such repeated acts of contumacy;" an expression, the most absurd, and the most ridiculously inapplicable to the facts, that could be imagined. He added, that "he was determined to convert this conduct of the raja into an advantage to the company's affairs." Against this monstrous determination Mr. Fox must protest, and he asked, who had ever before heard of the punishing men, not for the great end of all punishment, example, but to convert it into an advantage to the public treasury? Upon these grounds Mr. Hastings had determined to levy a fine upon Cheit Sing of 50,000 l. Mr. Fox spoke of his conduct on his arrival in Cheit Sing's dominions in terms of reprobation, declaring, that his language and treatment of the raja was

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pride and insolent in the extreme. Soon after his arrival, he caused Cheit Sing to be put under arrest in his own palace; an instance of unparalleled indignity. What would be thought of any tributary prince in Europe being arrested in his palace by order of the lord paramount? Would not his authority be lost for ever? Mr. Fox touched lightly on the remaining parts of the charge; the sort of affidavits, which had been procured for the sake of fixing an intention to rebel; the circumstances, which had taken place at the fortress of Bidjegur; the inducements to plunder held out by Mr. Hastings; and the subsequent misfortunes of the zemidary, as he considered them rather as matter of aggravation of the great charge, the ruin of Cheit Sing.

Mr. Fox acknowledged, that there had been something like a colour for the vote, into which the house of commons had entered respecting the Rohilla war. The extreme distance of the time at which it had happened, the re-appointment of Mr. Hastings by an act of the legislature, and the important services which he was imagined to have since performed for his country. But there were no such apologies to be urged against voting the present charge. The facts were undeniable, they were important, they were atrocious. Happy was it for those whom he addressed, that they could plead ignorance of East Indian affairs for so long a period. It was the only salvo for their honour, it was the line that separated the enormities of individuals from the sense of a British house of commons. He thanked Mr. Burke for having brought the charges forward. In one shape or another they must have been subjected to discussion; and let the house in general decide

as they thought proper, what had passed would prove, that there were Englishmen, who did not assent to principles, originating in the corrupt heart of a most corrupt individual, and who execrated a conduct, which had been marked with the grossest oppression, inhumanity and injustice. Mr. Fox added, that the house ought not to content itself with the punishment of the oppressors, and he heartily wished, that all which had been taken from individuals should be restored. But that was a subject, which must necessarily remain for future deliberation. The motion of Mr. Fox was seconded by Mr. Francis.

Mr. Pitt lamented, that his duty, and the responsibility of his situation peremptorily forbade him to do that, to which his inclination would otherwise have led him, to absent himself from the whole of the proceedings on the present occasion. He felt the greatest difficulty and uneasiness in being obliged to determine upon judicial questions; the merits of which were so closely connected with the habits and the customs of the East India governments. In proportion however to the difficulty, had been his endeavour to make himself master of the whole of the case, and he could venture to say, that, by a most laborious investigation, he had been able to form such a final and settled opinion concerning it, as had completely satisfied him in the vote, which in conscience he was bound to give. He should therefore state his sentiments to the house in the plainest and simplest manner, convinced, that, if there were any one subject, upon which a member of that house was bound to speak with more than ordinary simplicity and candour, it was that which was then under discussion, where there ought to be

no other object in view, than the honour of parliament, and the ends of substantial justice. He should carefully avoid entering into the business with that sort of temper and spirit which some persons had manifested, and should particularly guard against any impressions, similar to that, which Mr. Fox had been desirous of making on the house, in a manner, which he thought of all others the most unfair, and the most inconsistent with every principle of law and justice. He should neither suffer such means to bias him in voting a censure, where he did not think censure was merited, nor on the other hand would he permit his indignation at such unjustifiable conduct so far to get the better of him, as to make him refuse such a vote, where he thought he was in conscience bound to give it.

It had been the subject of many different opinions, what was the true tenure, under which the zemindars of Indostan held their possessions. This was however of little consequence to the conclusion he intended to draw. It was enough for him, that they must, in the nature of things, be liable to demands for extraordinary aid in the case of an extraordinary emergency. It was impossible to suppose the existence of a state, which had no constitutional provision for a period of danger. It was a right, to which no individual could object, because it was by the joint power of the whole that the individual was protected, and it would be treason against itself in any state to exclude a principle, so obviously necessary to its existence. To apply this argument to the empire of Indostan, Mr. Pitt gave several examples from the recent history of that country, where Cossim Ali Khan, as appear-

ed from the charges themselves, had received in presents from his several vassals above 1,500,000 l. for the purpose of supporting his military operations. These presents were as nearly as possible similar to the benevolences, formerly known in the politics of this country, and were literally the commutation of the military vassals for their personal services. He observed, that Cheit Sing had been made to contribute to his former lord, Suja ul Dowla, a considerable assistance both in men and money to the Rohilla expedition. He quoted the laws of the emperor Acbar, who expressly exempted his zemindars from the payment of any subsidies beyond their stated rents, at the same time that his arrangements were evidently calculated to secure a military force by the personal service of the zemindars. Mr. Pitt acknowledged, that it was stipulated with Cheit Sing, "that he should hold his zemindary as an hereditary possession, paying only a certain sum out of the revenues for the use of the company." But this implied nothing more, than that the stated annual payment should never be raised, and that no fine should be exacted from his successor when he came into possession. There was in the whole of the instruments no renunciation in express terms, of that, which was too essential and indispensable a right of sovereignty to be construed away by glosses or defeated by implication, the right of demanding aid in war or upon any great emergency. Having established then the equity of the claim, Mr. Pitt observed, that the sum demanded was greatly within the power of the raja to pay, appeared from the treasures found in the castle of Bidjegur, and that the demand of a thousand or fifteen

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hundred horse was not enormous, was evident from the circumstances, which took place in the subsequent insurrection of Benares.

Mr. Pitt digressed for a moment, to animadvert upon the language of the charge, in which it was stated that "Mr. Hastings seemed early to have resolved, when opportunity should occur, upon a severe revenge, and that, having obtained in his casting vote a majority in council, upon the death of sir John Clavering and Mr. Monson, he suddenly made an extraordinary demand upon the raja." Mr. Pitt desired the house to pause for a moment, to consider the full force of the insinuation contained in these words. Could there, he asked, be a more malignant charge brought against any man, than that which he had just stated? In the mean time all that it would be necessary for him to mention, as a complete antidote to every unfavourable impression which might have been created by the unwarrantable acrimony of the charge, was, that, two days before the resolution for exacting the 50,000*l.* from Cheit Sing had been proposed in council, Mr. Hastings had received the account of the breaking out of the French war. To have passed over such a circumstance as this, so striking and so obvious, and to discover a motive so base and diabolical, as was here imputed, could only be accounted for upon principles extremely injurious to the candour and integrity of Mr. Burke; or by supposing, that the laborious and pertinacious attention, which distinguished his conduct in every other part of the proceeding, had thrown him in the present instance, more unfortunately for himself than for Mr. Hastings, somewhat off his guard.

Having completely justified Mr. Hastings in every other part of the business, Mr. Pitt came now to the circumstances, which constituted the remaining, and in his opinion the best founded article of the charge. The principles of government indeed in India were arbitrary and despotic. Still however it was the duty of every administration in that country to conduct itself by the rules of justice and of liberty, as far as it was possible to reconcile them to the established government. He did not care, whether the laws of Tamerlane or of any other Indian emperor had laid down such a doctrine. It was enforced by a higher authority, by the dictates of nature and common sense; and it was upon this ground, that he felt it impossible to acquit Mr. Hastings of the whole of the charge brought against him. He felt in his conscience, that he had pushed the exercise of that arbitrary discretion, which, from the nature of the Eastern governments, was entrusted to him, to a greater length, than he was warranted to do by the necessity of the service. He was firmly persuaded, that Mr. Hastings had been influenced through the whole of his government by the warmest zeal for the interest of his employers; but that zeal, however commendable in itself, lost its merit, when exerted in a manner repugnant to principles, which were paramount to every motive of interest or policy. The council of Bengal having made a demand, which they had a right to make, and that demand having been contumaciously resisted, they were certainly justifiable in inflicting punishment on the delinquent party. But then it was their duty to apportion the punishment to the degree of guilt. This, he was sorry to say, Mr. Hastings in his opinion had not done;

done; at the same time that he conceived Mr. Francis not to be entirely free from blame, for the countenance that he had given to a considerable part of Mr. Hastings's conduct. From his behaviour then, and from that which he pursued upon the present occasion, there was room for suspicion, that at the time, when he might have exerted himself to prevent many improper steps from being taken, he had sat by with a secret satisfaction, contemplating the errors of Mr. Hastings, and regarding them as the foundation of future persecutions against him.

In what he had said Mr. Pitt desired to confine himself expressly to the exorbitancy of the fine, and not to include the subsequent revolution of Benares, which was an event, that, under all the circumstances, could not possibly be avoided. Mr. Hastings was certainly right in undertaking to punish the raja; and Cheit Sing was not apprised from any overt act, that the fine intended to be levied was exorbitant. Notwithstanding this he had taken up arms, in order to escape from an arrest, to which he had subjected himself by his own fault. He had excited a disposition among his men to massacre the British forces, and had afterwards withdrawn himself, and gone into open rebellion. All these circumstances considered, the deposition of the raja was indispensable and necessary. Mr. Pitt observed, that the only subject, which remained for him to mention, was the proposed restoration of Cheit Sing to his dominions. It was impossible to decide any thing upon this at present. If he were restored, it would create an unfair prejudice against a man now under accusation. If it were determined to

withhold his possessions, it might imply an approbation of that, which was hereafter to become a subject of criminal enquiry. Mr. Pitt concluded, that he should certainly agree to the present motion. Not that he should consider himself as committed to a final vote of impeachment, but only meaning to be understood, that, if upon the whole of the charges it should be his opinion, that an impeachment ought to be preferred, then this act of oppression was such, as ought to be made one of the articles of that impeachment. In resolving to fine the raja 500,000 l. for a mere delay, to pay 50,000 l. which however he had actually paid, Mr. Hastings had proceeded in a manner arbitrary, unjust and tyrannical. His determination destroyed all relation between the degrees of guilt and punishment. It was grinding, it was overbearing, it was utterly disproportionate and shamefully exorbitant. The charge was farther supported by Mr. Powys, and opposed by lord Mulgrave, Mr. Grenville, Mr. Arden, Mr. Nichols, Mr. Vansittart, major Scott, and Mr. Dempster. Mr. Dundas voted for the impeachment. Upon a division the numbers appeared, ayes 110, noes 79.

Three days later than this debate, the question came under discussion, whether or no it would be possible to go through the whole of the charges, in hearing witnesses, and coming to a separate vote upon each charge, in the course of the present session. The danger that was to be feared, was, that the season of the year would induce many members to leave town, and that the charges would come to be decided upon in thin houses, which would be a circumstance very unseemly, if compared with the importance

portance of the business, and might afford occasion of representing the decision, as not carrying with it the dignity, which properly belonged to a proceeding of the house of commons. To obviate this difficulty it was proposed by Mr. John James Hamilton, nephew to the earl of Abercorn, that they should vote a call of the house, to compel the attendance of the members. Major Scott pleaded with great earnestness for this measure, and delivered it as his deliberate and solemn opinion, that the fate of the British empire in India was suspended upon the circumstance, whether or no Mr. Hastings's impeachment was terminated in the session. He had conversed with persons of honour and undoubted information, who had left Calcutta so lately as in February, and their communications had strongly confirmed him in this persuasion. Mr. Fox professed himself an advocate for the proposed call, if it could be made efficient to the object of a full attendance. Mr. Hamilton submitted his motion to the house on the twenty-first of June, observing at the same time, that the only objection which could be urged, the inconvenience that might be felt by individuals, was of no value, when it was opposed to what was due to the feelings of an accused and persecuted man. He had brought forward his motion in behalf of a person, whom he had never seen but at the bar of that house. But he repeated, that that person had spent the greatest part of his life in the service of the public, in one of the most eminent situations which a subject could fill, and he thought, that it ought to be ascertained without delay, whether the only return he was to receive for his services was censure and infamy. Mr. She-

ridan observed, that a considerable degree of odium must necessarily be incurred by calling members back to town, after they had gone into the country, and made their arrangements for the summer; and, however Mr. Hamilton might be willing to take all the obloquy upon himself, he believed it would be shared by all those, who were concerned in the business. Mr. Sheridan farther urged the impossibility of making the call effectual, and observed, that it would occasion so many delinquents by disobedience, that the house would be disabled from proceeding to enforce its own order. He ridiculed the despondency of major Scott, who was generally so sanguine upon the affairs of India, and remarked, that he had rested his opinion upon dark hints and suggestions, as if recent advices had been received from India to that purpose, but that, if those advices were not produced, all insinuations of that nature must pass for nothing. Mr. Sheridan had made every possible enquiry to discover this extraordinary news, but he could hear of nothing, except the receipt of an extraordinary large diamond, said to have been sent to Mr. Hastings, and presented to the king at an extraordinary and critical period of time. The motion was supported by Mr. Dempster and Mr. Hawkins Browne, and opposed by sir Matthew White Ridley, Mr. Duncombe, lord George Cavendish, Mr. Michael Angelo Taylor and Mr. Pitt. On a division the members appeared, ayes 30, noes 99.

The subject, to which Mr. Sheridan had alluded, of the receipt of a very valuable diamond by the king through the medium of Mr. Hastings, occasioned a considerable quantity of newspaper animadver-

sion, partly of a ludicrous and partly of a serious nature. Major Scott, who had shown himself particularly alive to insinuations conveyed through that channel, thought proper to state the circumstances of the business, both from the press, and in a speech, which he made a few days after in the house of commons. This statement was unfortunately of such a nature, as not to be calculated in the best possible manner to counteract the animadversions, by which he had been offended. It appeared, that Mr. Hastings had received the diamond on the second of June, the second day of the Rohilla debate, and that it had been delivered to the secretary of state on the thirteenth of June, the day of deciding the charge of

Benares. This delay major Scott took upon himself, and related the circumstances, which from day to day had prevented him from waiting upon lord Sydney on the subject. He also read a letter from Mr. Hastings, in which it was related, that the packet he had received contained a letter from Nizam Ali Khan to the king, and another to himself, the latter of which was damaged, and scarcely legible, if legible. Mr. Hastings guessed the purpose of the effaced letter to be a commission to him, to deliver the letter to the king, and most probably the packet along with it, the contents of which he had not a clue to conjecture, but supposed it to contain something of extraordinary value.

CHAPTER VIII.

Mr. Sheridan's Speech on the Charge of the Begums. Charges of Farruckabad, of the Contracts, of Fizulla Khan, of the Presents, of the Revenues, and of Misdemeanours in Oude voted. Mr. Hastings impeached at the Bar of the House of Lords.

THE session of parliament for the year 1786 had undoubtedly closed in a period, peculiarly critical to Mr. Hastings and his friends. One charge had already been decided in his favour and another against him. But this charge was confessedly, in the opinion of the majority of the house of commons, not sufficiently weighty to be carried up alone as a ground of impeachment to the house of lords. It was supposed, perhaps in a higher degree than it was true, that the decision of the minister had turned the scale against Mr. Hastings in the house of commons. But that decision, with respect to the future charges, was enveloped in the thick-
est obscurity. Concealment is un-

doubtedly in some cases the essential quality of a great minister, and Mr. Pitt seems to have possessed a peculiar faculty of this kind, which no attack upon his passions, and no provocation could induce him to throw off for a moment. In this particular case, he professed to study each of the charges separately, and not to make up his mind upon the subject, till the period nearly approached, in which he was to deliver his vote. He was not influenced, or at least not obviously influenced in the vote he had given, by those motives, which too often decide with public men, private advantage and personal interest. But, supposing him to be governed purely by his own judgment of rectitude and
delin-

delinquency, yet he had not afforded sufficient ground, in deciding upon the affair of Benares, to conjecture what would be his decision upon the remaining charges. He had acquitted Mr. Hastings of all those circumstances of the transaction, which to the majority of its adversaries had appeared most atrocious, and he had condemned him upon an intention, a determination of policy, which had never been carried into execution. The line of conduct, which Mr. Pitt had chalked out to himself, was undoubtedly disagreeable to Mr. Hastings's friends, and it was even pretended by some persons, that it was not altogether convenient to the friends of Mr. Pitt. They imagined that Mr. Grenville and lord Mulgrave in particular, the former of whom voted against Mr. Hastings upon many of the subsequent charges, would not have taken so decided a part in his favour in the outset, if they could perfectly have foreseen the line of conduct, that would have been pursued by the minister.

The third charge was opened in the house of commons by Mr. Sheridan on the seventh of February 1787. The speech he delivered upon this occasion was five hours and a half in duration, and has been the subject of the loudest and most extraordinary encomiums that ever were pronounced. Those, who heard it, seemed to imagine, that all the eloquence of ancient or modern times was greatly surpassed and outdone upon this occasion. It may be thought, that the incidental circumstances that attended the affair, the charge being perhaps of all others the most weighty and capable of aggravation, and its being as it were the critical question, which from its dare and arrangement must decide upon the fate of the business, gave

to the speech a lustre, which was not strictly inherent in it. It may be thought, that Mr. Sheridan, having gradually risen in his eloquence from beginnings that were by no means astonishing, and having in this case surprized his hearers, and gone beyond all that they had conceived of him, on this account entered into a comparison not entirely equal, with those speakers, whose merits had long been a topic of public notoriety. But whatever deductions some persons might chuse to make on this account, the consequences that attended his speech were truly admirable. Conviction appeared to follow upon all his arguments; the prejudices and prepossessions of his hearers were gradually overcome. Upon a subject, which had particularly divided, not only the house of commons, but the nation at large, into a variety of sentiments, this memorable speech produced almost an universal union, with the exception principally of those, who from personal attachment, and the honourable feelings of gratitude and friendship, persevered in supporting what from this moment the house of commons thought proper to abandon.

Mr. Sheridan began with animadverting upon some incidental circumstances which had recently occurred. He particularly dwelt with great indignation upon what he styled, the low and artful stratagem, which had just been practised, of delivering to the members and others, in this last period of parliamentary enquiry, a printed paper, bearing the signature of Warren Hastings, and which he was to consider as a second defence against the charge, which he was now to bring forward. Mr. Sheridan observed, that it had been insinuated by some persons, that parliament was mispending its

time in attending to this subject, at a period when they might be more usefully employed, when a commercial treaty with France had just been concluded, and there were other matters depending of immediate moment, which were sufficient to engross their attention. Was parliament mispending its time by enquiring into the oppressions practised upon millions of unfortunate persons in India, and endeavouring to bring to exemplary and condign punishment the daring delinquent, who had been guilty of the most flagrant acts of enormous tyranny and rapacious speculation? Mr. Sheridan said, that parliament had always shown its peculiar detestation of that novel and base sophism in the principles of judicial enquiry, that crimes might be compounded, that the guilt of Mr. Hastings was to be balanced by his successes, and that fortunate events were a full and complete set off against a system of oppression, corruption, breach of faith, speculation and treachery. The conduct of the house of commons in this respect during the preceding year had done them immortal honour, and proved to the world, that, however degenerate an example some of the British subjects had exhibited in India, the people of England collectively, speaking and acting by their representatives, felt, as men should feel on such an occasion. They had asserted, that there were acts, that no political necessity could warrant; and that, a rapid flagrant of such an execrable description, was the treatment of Cheit Sing. They had declared, that the man who brought the charges was no false accuser, that he was not moved by envy, malice or any unworthy motives to blacken a spotless name, but that he was the indefatigable, the persevering, and at length the success-

ful champion of oppressed multitudes against their tyrannical oppressor. They had proved themselves superior to the presumptuous pretensions that were advanced in favour of this pillar of India, this corner-stone of our strength in the East, this talisman of the British territories in Asia, whose character was said to be above censure, and whose conduct was not within the reach of suspicion.

Mr. Sheridan stated the present charge respecting the begums of Oude, as replete with criminality of the blackest dye, with tyranny the most vile and premeditated, with corruption the most open and shameless, with oppression the most severe and grinding, and with cruelty the most hard and unparalleled. He professed to God, that he felt in his own bosom the strongest personal conviction on the present subject. It was upon that conviction, that he believed the conduct of Mr. Hastings in regard to the nabob of Oude, and to the begums, comprehended in it every species of human offence. He had proved himself guilty of rapacity at once violent and insatiable; of treachery cool and premeditated; of oppression useless and unprovoked; of breach of faith unwarrantable and base; of cruelty unmanly and unmerciful. These were the crimes, of which in his soul and his conscience he arraigned Mr. Hastings, and of which he had the confidence to say he should convict him. He was far from meaning to rest the charge upon assertion, or upon the warm expressions, which the impulse of wounded feelings might produce. He would establish every part of the charge by the most answerable proof and the most unquestionable evidence. He would support every fact by a testimony, which few would venture to con-

tradict.

tradict, that of Mr. Hastings himself. As there were persons ready to stand up his advocates, he challenged them to watch him; to watch if he advanced one inch of assertion, for which he had not solid ground; for he trusted nothing to declamation. He desired credit for no fact, which he did not prove, which he did not demonstrate beyond the possibility of refutation. He should not desert the clear and invincible ground of truth through one particle of his allegations; while, in the defence of Mr. Hastings on the contrary, not one single circumstance was stated, which had its foundation in truth.

It was there endeavoured to be proved, that the treasures of the begums were not private property, but that they belonged of right to the nabob. To establish this, various steps were related, which were taken by Mr. Bristow in the years 1775 and 1776 to procure from the begums assistance to the nabob, not one of which steps, as stated by Mr. Hastings, were true. It must be remembered, that at that period the begums did not merely desire, but expressly stipulated, that, of the 300,000 l. promised, 110,000 l. should be paid in sundry articles of manufacture. Was it not obvious, that the sale of goods in this case, which had been brought by Mr. Hastings as an apology for the exposition of their pilfered goods to public auction in 1781, far from partaking of the nature of an act of plunder, was an extension of relief, indulgence and accommodation? Mr. Hastings alleged the principles of the Mahometan law in mitigation of his severities; as if he meant to insinuate that there was something in Mahometanism, which rendered it impious in a son not to plunder his mother. The minutes of council in

the year 1775 established an opinion, that the women upon the death of their husbands were intitled by the Mahometan law only to the property within the zenana or harem where they lived. The opinion was decisive: the resident used no threats; military compulsion was not so much as menaced; the disputed property was given up by the begums, and the farther treasure which was within the zenana was confessedly their own. A treaty had even been signed by the nabob, and ratified by Mr. Bristow, in the nature of a guarantee, by which it was stipulated, that, on their paying 300,000 l., they should be freed from all farther application. Was this transaction of a nature calculated to prove that the right to the treasure of the begums vested in the nabob? If the Mahometan law had even given such a right, was not that right excluded by the treaty? Mr. Sheridan said, that, even in the year 1775, the princesses of Oude had entertained a reliance upon the protection of the British government; and to prove this, he quoted a letter of that date from the begum, the mother of the nabob, to Mr. Hastings, in which she observed, "If it is your pleasure, that the mother of the late nabob, myself, his other women, and his infant children, should be reduced to a state of dishonour and distress, we must submit. But, if on the contrary you call to mind the friendship of the late blessed nabob, you will exert yourself effectually in favour of us who are helpless."

Mr. Sheridan proceeded to examine the allegations, which had been employed as the immediate pretences for seizing the treasure of the begums. It was said, that they had given disturbance at all times to the government of the nabob; that they had long manifested a spirit

rit hostile to his and to the English government; that they had excited the zemindars to revolt; and that they had excited and were accessory to the insurrection at Benares. Each of these allegations was sufficiently disproved by Mr. Hastings himself, who made it appear, that on the contrary they had particularly distinguished themselves by their friendship for the English, and by the various good offices which they rendered to the government. Mr. Hastings left Calcutta in 1781, and proceeded to Lucknow, as he said himself, with two great objects in his mind, Benares and Oude. What was the nature of these boasted resources? They resembled the equitable alternative of a highwayman, who, in going forth in the evening, was held in suspense, which of his resources to prefer, Bagshot or Hounslow. In such a state of generous irresolution did Mr. Hastings proceed to Benares and Oude. At Benares he failed in his pecuniary object. Then and not till then,—not on account of any ancient enmities, shown by the begums, not in resentment for any old disturbances, but because he had failed in one place and had but two in prospect,—did he conceive the base expedient of plundering these aged women. He had no pretence, he had no excuse; he had nothing, but the arrogant and obstinate determination to govern India, by his own corrupt will, to plead for his conduct. Inflamed by disappointment in his first project, he hastened to the fortress of Chunar, to meditate the more atrocious design of instigating a son against his mother, of sacrificing female dignity and distress to parricide and plunder. At Chunar was that infamous treaty concerted, in which, among other articles, Mr. Hastings had stipulated with one, whom he

called an independent prince, “that, as great distress had arisen to the nabob’s government from the military power and dominion assumed by the jaghiredars, he be permitted to resume such of their lands, as he may deem to be necessary.”

No sooner was this foundation of iniquity established in violation of the pledged faith and solemn guarantee of the British government, no sooner had Mr. Hastings determined to invade the substance of justice, than he resolved to avail himself of her judicial forms, and accordingly dispatched a messenger for the chief justice of India, to assist him in perpetrating the violations he had projected. Sir Elijah Impey being arrived, Mr. Hastings with much art proposed a question of opinion, involving an unsubstantiated fact, in order to obtain a surreptitious approbation of the measure he had predetermined to adopt. “The begums being in actual rebellion, might not the nabob confiscate their property?” “Most undoubtedly,” was the ready answer of the friendly judge. Not a syllable of enquiry intervened as to the existence of the imputed rebellion; not a moment’s pause as to the ill purposes, to which the decision of a chief justice might be perverted. It was not the office of a friend, to mix the grave caution and cold circumspection of a judge with an opinion taken in such circumstances; and sir Elijah had previously declared that he gave his advice, not as a judge, but as a friend; a character, which he equally preferred in the strange office which he undertook, of collecting justifying affidavits on the subject of Benares. Mr. Sheridan said, it was curious to reflect on the whole of sir Elijah’s circuit at that perilous time. Sir Elijah had stated his desire of relaxing from the fa-

rigues

figures of office, and unbending his mind in a party of health and pleasure: yet, wisely apprehending, that too sudden relaxation might defeat its object, he had contrived to mix some concerns of business with his amusements. In his little, airing of nine hundred miles, great part of which he travelled post escorted by an army, he had selected those very situations, where insurrection subsisted, and rebellion was threatened; and had not only delivered his deep and curious researches into the laws of nations and treaties, in the capacity of the Oriental Grotius, whom Mr. Hastings was to study, but also appeared in the humbler and more practical situation of a collector of *ex parte* evidence. In the former quality, his opinion was the premature sanction for the plundering the begums; in the latter character, he became the posthumous supporter of the expulsion and pillage of the raja Cheit Sing. Acting on an unimproved fact, on a position as ideal as a datum of the duke of Richmond, he had not hesitated in the first instance to lend his authority to an unlimited persecution. In the latter he did not disdain to scud about India, like an itinerant informer, with a pedlar's pack of garbled evidence and surreptitious affidavits. With a generous oblivion of duty and honour, with a proud sense of having authorised all future rapacity, and sanctioned all past oppression, this friendly judge proceeded on his circuit of health and ease. While the governor-general issued his orders to plunder the begums of their treasure, sir Elijah pursued his progress, and explored a country, that presented a speaking picture of hunger and nakedness, in quest of objects best suited to his feelings, in anxious search of calamities most akin to his invalid imagination.

Thus, at the same moment that the sword of government was turned to an assassin's dagger, the pure estimate of justice was stained and soiled with the basest contamination. Such were the circumstances, under which Mr. Hastings completed the treaty of Chudar; a treaty, which might challenge all the treaties that ever existed, for containing in the smallest compass the most extensive treachery.

Mr. Hastings did not consent to that treaty, till he had received from the nabob a present, or rather a bribe of 100,000 l. The circumstances of this present, Mr. Sheridan said, were as extraordinary as the present itself. Four months afterwards, and not till then, Mr. Hastings communicated it to the company, at the same time observing, that "the present was of a magnitude not to be concealed." Mr. Sheridan averred, that the whole transaction had its rise in a principle of rank corruption. And what was the consideration for this extraordinary bribe? No less than the withdrawing from Oude, not only all the Englishmen in official situations, but the whole of the English army, and that at the very moment, when he had himself stated the whole country of Oude to be in open rebellion. At the very moment that he pocketed the extorted spoils of the nabob, he said to the English gentlemen with his usual grave hypocrisy and cant, "Go, you oppressive rascals! Go from this wretched unhappy man, whom you have plundered, and leave him to my protection! You have robbed him, you have plundered him, you have taken advantage of his accumulated distresses. But, please God, he shall in future be at rest, for I have promised him that he shall never see the face of an Englishman again." This however was the only

only part of the treaty, that he even affected to fulfil. In all its other articles we learned from himself, that, at the very moment that he made it, he meant to deceive the nabob. Accordingly he advised the general instead of the partial resumption of the jaghires, for the express purpose of defeating the first views of that prince; and, instead of giving instant and unqualified effect to all the articles of the treaty, he perpetually qualified, explained and varied them with new diminutions and reservations. Mr. Sheridan called upon his hearers to say, if there were any theory in Machiavel, any treachery upon record, any cold Italian fraud, which could in any degree be put in comparison with the disgusting hypocrisy and unequalled baseness, which Mr. Hastings had shown upon this occasion?

He recollected to have heard it advanced by some of those admirers of Mr. Hastings, who were not so implicit as to give unqualified applause to his crimes, that they found an apology for the atrocity of them in the greatness of his mind. To estimate the solidity of such a defence, it was sufficient merely to consider in what it was, that this prepossessing distinction, this captivating characteristic consisted. Was it not solely to be traced in great actions directed to great ends? In them only were we to search for true magnanimity; to them only could we affix the splendour and the honours of true greatness. There was indeed another species of greatness, which displayed itself in boldly conceiving a bad measure, and undauntedly pursuing it to its accomplishment. Had Mr. Hastings the merit of exhibiting either of these? Mr. Sheridan saw nothing great, nothing magnanimous, nothing open, nothing direct

in his measures or his mind. On the contrary he pursued the worst objects by the worst means. His course was an eternal deviation from rectitude. At one time he tyrannized over the will, and at another time deluded the understanding. He was by turns a Dionysius and a Scapin. As well might the writhing obliquity of the serpent be compared to the direct path of the arrow, as the duplicity of Mr. Hastings's ambition to the simple steadiness of genuine magnanimity. In his mind all was shuffling, ambiguous, dark, insidious and little. Nothing simple, nothing unmixed; all affected plainness and actual dissimulation. He was an heterogeneous mass of contradictory qualities, with nothing great but his crimes, and those contrasted by the littleness of his motives; which at once denoted his profligacy and his meanness, and marked him for a traitor and a juggler. In his style of writing Mr. Sheridan perceived the same mixture of vicious contrarieties. The most groveling ideas he conveyed in the most inflated language, giving mock consequence to low cavils, and uttering quibbles in heroics; so that his compositions disgusted the taste of the understanding, as much as his actions excited the abhorrence of the soul. Mr. Sheridan traced the same character through almost every department of his government. Alike in the military and the political line, we might observe auctioneering ambassadors and trading generals. We saw a revolution brought about by an affidavit; an army employed in executing an arrest; a town besieged on a note of hand; and a prince dethroned for the balance of an account. Thus it was, that a government was exhibited, uniting the mock majesty of a bloody sceptre, and the little traffic of a

merchant's counting-house; wielding a truncheon with one hand, and picking a pocket with the other. From the facts he had stated, Mr. Sheridan inferred, that the begums had not given disturbance to the government, that they had not excited the zemidars to revolt, and that they were not concerned in the insurrection of Benares. Their treasures were their treason; and Asoph ul Dowla had thought like an unwise prince, when he blamed his father for leaving him so little wealth. His father had acted with true policy, in leaving his son with no temptations about him, to excite acts of violence from the rapacious. He clothed him with poverty as with a shield, and armed him with necessity as with a sword.

Mr. Sheridan proceeded to examine a farther apology which Mr. Hastings had suggested for his conduct. "The begums had resisted the resumption of the jaghires." If they had done so, they would have been guilty of no crime; but the contrary to this was the fact. Could any thing in the mean time be more absurd than the very idea of such an apology? Mr. Hastings, when he was returned to Calcutta, stated the resistance of the begums to the resumption in January 1782, as the ground for confiscating their treasures in November 1781. The begums were, by their condition, their age and their infirmities, almost the only two souls in India, who could not have a thought of distressing that government, from which alone they could hope for protection; and who could not entertain a design so absurd, as to depose the reigning prince, who was their nearest relation. Perhaps indeed it would be objected to him as improper, to infer, because there was no motive for the offences imputed to these women, that of ne-

cessary consequence these imputations were false. The conduct of Mr. Hastings sufficiently evinced, that there was such a crime, as wanton, unprovoked wickedness. But, as to the immediate case, it would appear from the most incontrovertible testimony, that insurrections, such as those which had been cited, had constantly taken place in Oude, and that reasons but too natural might be assigned for them at the period in question. To ascribe them to the begums was wandering even beyond the improbabilities of fiction. It would not be more absurd to affirm, that famine would not have pinched, nor thirst have parched, nor extermination have depopulated, but for the interference of these old women. But Mr. Hastings added, "that they complained of the injustice that was done them." God of heaven, had they not a right to complain? After the violation of a solemn treaty, plundered of their property, and on the eve of the last extremity of misery, were they to be deprived of the ultimate resource of impotent wretchedness, lamentation and regret? Was it a crime, that they should croud together in fluttering trepidation, like a flock of feeble birds on seeing the felon kite, who, having darted at one devoted bird and missed his aim, singled out a new object, and was springing on his prey, with redoubled vigour in his wing, and keener vengeance in his eye?

Mr. Sheridan now entered into a discussion of the affidavits, by which the rebellion of the begums was endeavoured to be authenticated. In mentioning that of Mr. Middleton he exclaimed, The God of justice forbid, that any man in this house should make up his mind to accuse Mr. Hastings, upon the ground which Mr. Middleton took

for condemning the begums; or that a verdict of guilty for the most trivial misdemeanours should be found against the poorest wretch that ever had existence, upon imputations so futile and absurd! Major Williams, among the strange reports that filled these affidavits, stated, that he heard, that fifty British troops, watching two hundred prisoners, had been surrounded by six thousand of the enemy, and relieved by the approach of nine men. But the attention of the house was still more strongly claimed by the affidavit of captain Gordon, who had displayed the gratefulness of his spirit and temper in the most extraordinary manner. Captain Gordon was just before, not merely released from danger, but preserved from imminent death, by the very person, whose accuser he had thought fit to become. And yet, incredible as it might appear, at the expiration of two little days from his deliverance, he had deposed against the distressed and unfortunate woman, to whom he owed his existence; and upon hearsay evidence accused her of crimes and rebellion. Mr. Sheridan desired here to pause for a moment, and particularly to address himself to one description of persons, those of the learned profession, within those walls. Of Sir Lloyd Kenyon, the expected successor of lord Mansfield, the brightest luminary that ever dignified the profession, he would ask, calmly to reflect on these extraordinary depositions, and solemnly to declare, whether the mass of affidavits taken at Lucknow would be admitted by him as evidence, to convict the lowest object in this country. If he said it would, he declared to God he would sit down, and not add a syllable more to the too long trespass which

he had made upon the patience of the house.

Mr. Sheridan alluded to Mr. Hastings's having once remarked, that a mind touched with superstition, might have contemplated the fate of the Rohillas with peculiar impressions. If the mind of Mr. Hastings were susceptible of the images of superstition, if his fancy could suffer any disturbance, he might indeed feel extraordinary emotions, in contemplating the scenes Mr. Sheridan had been endeavouring to describe. He might image the proud spirit of Suja ul Dowla, looking down upon the ruin and devastation of his family; beholding that palace, which Mr. Hastings had first wrested from his hand and afterwards restored, plundered by the very army with which he had vanquished the Marattas; that plunder, which he had ravished from the Rohillas, seized and confiscated by his perfidious ally; that Middleton, who had been engaged in managing the previous violations, most busy to perpetrate the last; that Hastings, whom on his deathbed he had left the guardian of his wife, his mother, and his family, turning those dear relations, the objects of his solemn trust, forth to the merciless seasons, and to a more merciless soldiery. A mind, touched with superstition, must indeed have cherished such a contemplation with peculiar impressions. That Mr. Hastings was regularly acquainted with all the enormities committed on the begums, was proved by the clearest evidence. It was true, that Mr. Middleton was rebuked for not being more exact; but the exactness required of him afforded no apology for Mr. Hastings's feelings. He did not give an account of the number of groans which were heaved

ed, of the quantity of tears which were shed, of the weight of the fetters, or the depth of the dungeons. Mr. Sheridan observed, that the governor-general had shrunk from the enquiry ordered by the court of directors, under a new and pompous doctrine, "that the majesty of justice was to be approached with supplication, and was not to degrade itself by hunting for crimes." He had forgotten, it seemed, the intamous employment, to which he had appointed an English chief justice, to hunt for criminal charges against innocent, defenceless women. But Mr. Sheridan trusted, that the house would vindicate the insulted character of justice; that they would exhibit its true quality, efficacy and purposes; that they would demonstrate it to be, in the case of Mr. Hastings, active, inquisitive and avenging.

Mr. Sheridan remarked, that he had heard of factions and parties in that house, and knew that they existed. There was scarcely a subject, upon which they were not broken and divided into sects. The prerogatives of the crown found their advocates among the representatives of the people. The privileges of the people found opponents in the house of commons itself. Habits, connections, parties, all led to a diversity of opinion. But, when inhumanity presented itself to their observation, it found no division among them. They attacked it as their common enemy, and conceiving, that the character of the country was involved in their zeal for its ruin, they quitted not their undertaking, till it was completely overthrown. It was not given to that house, to behold the objects of their compassion and benevolence in the present extensive enquiry, as it was to the officers,

who relieved them, and who so feelingly described the extatic emotions of gratitude in the instant of deliverance. They could not behold the workings of their hearts, the quivering lips, the trickling tears, the loud, yet tremulous joys of the millions, whom their vote of that night would for ever save from the cruelty of corrupted power. But, though they could not directly see the effect, was not the true enjoyment of their benevolence increased, by its being conferred unseen? Would not the omnipotence of Britain be demonstrated to the wonder of nations, by stretching its mighty arm across the deep, and saving by its fiat distant millions from destruction? And would the blessings of the people thus saved dissipate in empty air? No. If he might dare to use the figure, they would constitute heaven itself their proxy, to receive for them the blessings of their pious thanksgiving, and the prayers their gratitude would dictate.

Mr. Sheridan was immediately followed by Mr. Burges, a young member, who had taken his seat in the preceding week, and who now undertook to prove the propriety of every part of Mr. Hastings's conduct in the present transaction. To the person of the late governor-general he professed himself an absolute stranger: but he was not ignorant of his character, nor unacquainted with his services. After having for a considerable time in vain endeavoured to draw to himself the attention of the house, he concluded with saying, that he perceived their present temper, and that he was not insensible of the manner, in which they had received the first address of a young member, standing there as an advocate for an accused and injured fellow-subject. He left the reflections

upon

upon it to themselves, and he wished the world to take notice, that a British house of commons, sitting in judgment on the character and fortune of such a man as Mr. Hastings, had refused to hear his defence. Sir William Dolben immediately moved an adjournment of the debate, confessing, that, in the state of mind in which Mr. Sheridan's speech had left him, it was impossible for him to give a determinate opinion. Mr. Stanhope seconded the motion. When he had entered the house, he was not ashamed to acknowledge, that his opinion inclined to the side of Mr. Hastings. But such had been the wonderful efficacy of Mr. Sheridan's convincing detail of facts, and irresistible eloquence, that he could not but say, that his sentiments were materially changed. Nothing indeed, but information, almost equal to a miracle, could determine him not to vote for the charge; but he had just felt the influence of such a miracle, and he could not but ardently desire to avoid an immediate decision. Mr. Matthew Montagu confessed, that he had felt a similar revolution of sentiment. Mr. Fox, with his usual quickness to observe the very appearance of a sinister design, warmly opposed the adjournment. He confessed the wonderful ability, that Mr. Sheridan had displayed, and observed, that all he had heard and read of eloquence before vanished in the comparison, like a vapour before the sun. While it did the greatest honour to the judgment of Mr. Sheridan, it paid him a much greater compliment, in showing that he had a heart, a heart earnest in vindicating the rights of the oppressed, and whose whole sensibility was engrossed by their miseries. He had left the mind exhausted of every resource to oppose or confute; and, if members

really felt themselves unable to contradict the smallest article that he had stated, why were they afraid of yielding instant obedience to the dictates of conviction? Of all questions, which came before them for discussion, India questions were those, which required the most prompt decision. It was dangerous to trull them to the opportunities of solicitation, and to the perils of out-door negotiation. Major Scott declared himself ready to enter into an instant refutation of Mr. Sheridan's speech; and the question for an adjournment was farther opposed by Mr. Michael Angelo Taylor, and supported by Mr. Martin, Mr. Wilberforce and Mr. Pitt. It was carried without a division.

On the next day major Scott observed, that all the distresses of the nabob of Oude had originated in the treaty, which was concluded upon the death of Suja'ul Dowla at the motion of messieurs Clavering, Monson and Francis in express opposition to the sentiments of Mr. Hastings. He noticed a circumstance in colonel Hannay's affidavit, which appeared to him to fall little short of demonstration. It was there said, that a thousand horse and foot, of the troops called nudjubs, had marched from Fyzabad to Cheit Sing; and the affidavit of the second officer in Cheit Sing's army stated, that a thousand nudjubs had arrived from Oude. Major Scott declared upon his honour, that he had never yet met with an officer, who did not confirm the truth of the affidavits. Even the ordinary messengers of the province had brought intelligence, that, during the rebellion of Cheit Sing, the road from Fyzabad to Benares was filled with troops raised by the begums' eunuchs. There was one material instance of contradiction upon the face of Mr. Hastings's

defence, which major Scott thought himself obliged to clear up. Mr. Hastings had had only five days to prepare that defence, and it was scarcely to be expected, that he had not had some assistance. Indeed he had neither written, nor so much as read the reply to this charge. It was written by major Scott, very curiously read by him to Mr. Hastings, and the inaccuracy in question escaped them both. This was the statement, that the reason for seizing the begum's treasures had been their resistance to the resumption of the jaghires. Mr. Hastings had never acted upon that motive. It had been merely the pretence of the nabob, and had always and uniformly been disavowed by the governor general. However gentlemen in these days of tranquility might think, warmed and animated as they had been by the eloquence of Mr. Sheridan, the time of cool reflection would come, and they would then be convinced that India was saved by the seasonable application of these treasures. Major Scott feelingly lamented the unfavourable influence of the present enquiry upon our future transactions in India. Probably it might never happen to him to be upon service, or in a command of any consequence; but, he protested, he should go out with some degree of uneasiness, after the doctrines that had been advanced. He had ever understood, that circumstances might arise, which would render it meritorious even to plunder a mosque or a zenana. Major Scott concluded, that, if the house should think proper to vote the impeachment, he hoped they would, in consistency and justice, repay the money to the begum, which, with the interest upon it, would amount to a million sterling.

1787.

Mr. Pitt remarked, that, from the earliest period of the present enquiry, he had considered the matter in a light, serious beyond description, deeply involving both the honour and character of the house, and the reputation and integrity of the party accused. The present charge had been brought forward in a manner so unprecedented, as far as eloquence and abilities were concerned, that he felt himself peculiarly happy at the pause that the house had made, and the opportunity which had been afforded him, of examining with the most scrupulous investigation the arguments that had been advanced. The result of this examination was a concurrence with the question; though he wished not to be understood, as acceding to the whole of the grounds of accusation contained in the charge, or of the inferences that had been drawn from them. Omitting therefore any unnecessary articles, he would come first to the great fact of the resumption of the jaghires. There were situations in his opinion, in which such a measure might be justified. In a country with a free constitution like Great Britain, they all knew that grants of the crown, and even the private freehold of an individual could in certain cases be taken away; and surely principles of justice, that would apply here, might without violence be introduced in a country, the constitution of which was in a great measure arbitrary. But the situation of the East India company, as guaranties of the treaty entered into by Mr. Bristow, placed us in a delicate situation, and at any rate seemed to require, that, if we did not resist a resumption on the part of the nabob, we at least ought not to have prompted it. The other great point in the present charge,

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the seizing upon the treasures of the begums, appeared to Mr. Pitt, to be much the most weighty part of the accusation. There were two views, in either of which it was possible to make out a defence for Mr. Hastings, provided it were in his power to establish the grounds of justification; the first, if it could be proved that he seized them as a fine or forfeiture, with a view to penal prosecution, and as an example of justice; the other the ground of state necessity. With regard to the first, had they been seized with a view to punishment, the seizure must have been preceded by a process, and have gone through some forms, because a judicial proceeding had its indispensable forms in all countries, how ever different might be those of one country from those of another. The plea of state necessity, as it was of infinitely greater latitude, so it required to be more clearly ascertained and established. The size of the emergency must be proved, or at least it must be shown, that Mr. Hastings either saw, or thought he saw a storm of no common magnitude gathering round him. Mr. Pitt concluded, that, in the present case, there was not the smallest trace of either of these defences to be discovered.

With regard to the report of the begum's having been in rebellion, the letter of Mr. Middleton of the month of October 1781, upon the face of it appeared to be highly in favour of Mr. Hastings. This letter had been written just after the interview of Mr. Middleton with the governor general at Chunar. No farther notice was taken of this circumstance for some weeks, and then an order was sent to Mr. Middleton, to institute an enquiry: but it was to be observed, that the order for seizing the treasures was sent

at the same time. Mr. Pitt proceeded to comment upon the affidavits, by which the rebellion was attempted to be proved. The preservation of captain Gordon at the express instance of the begum, appeared to him an incontrovertible proof of the attachment of that princess to our interests. Mr. Pitt acknowledged, that he had been inclined to believe, that the circumstance took its rise in affected lenity; that the news had reached the begums of the successful aspect of our affairs; and that they in consequence were anxious, to wear away the remembrance of their treacherous intentions as soon as possible, and upon that account seized with avidity upon the occasion of affording protection to captain Gordon. This preconception he was now fully satisfied had been ill founded. He now knew, that the begums, so far from at that time thinking that our affairs wore a prosperous appearance, were not undeceived, as to the rumour of Mr. Hastings's defeat and captivity at Benares. Another circumstance seemed a great aggravation of the fact of seizing the treasures of the begums; and that was the making the nabob the instrument; a son the instrument of robbing his mother! The crime of Mr. Hastings was also aggravated in his opinion, by his stifling the order of the court of directors, which expressly ordered a revision of the proceedings of Fyzabad. With regard to the manner of seizing the persons and treasure of the begums, and the cruelties practised on their ministers, of those charges he completely acquitted Mr. Hastings, since there was no evidence to prove, that he either took an active part in enforcing them, or was even acquainted with them. He took notice of the evident contradictions between the

different defences of Mr. Hastings and his letters written during the transactions, and declared, that he had endeavoured to suffer these circumstances to impress his mind as little as possible, because, though some of the means of defence resorted to were indeed very unworthy of a great man upon such an occasion, it was no crime in a party accused to make a contradictory or a weak defence. Mr. Pitt agreed with Mr. Sheridan in many parts of his argument, and acknowledged, that he had given him a new view of some of the transactions; but there was one thing that marked his speech, that he thought rather wrong, and which, if he had not perceived that it rose from real feeling, he should have endeavoured to check at the moment: he meant the too great warmth and personal severity, with which he spoke of the party principally interested in the proceedings. Mr. Pitt added, that, if a great man intrusted with the government of a country at some critical period could not willingly consent to hazard his character, his honour and his life for the service of those, whose welfare it was his duty to secure, he was unfit for his station, and ignorant of its first and greatest obligation. Such a man knew not what public duty was, and was a stranger to the feelings of public virtue. Had Mr. Hastings been able to prove, that he had acted on such principles, however Mr. Pitt might have regretted his errors, and lamented their consequences, he would not have withheld from him his applause, his support and his remuneration.

Mr. Sheridan paid his tribute of applause to Mr. Pitt, who had shown, that whatever differences or altercations might arise upon political occasions, yet, when a

great national question occurred, he was ready in an open and manly way to come forward, as a minister, who felt for the honour and character of parliament and the country. With regard to the imputation of undue warmth, he neither felt, nor professed to feel any malignity against Mr. Hastings. Those, who knew him most intimately, he believed he might say without vanity, knew, that he had no malignity in his composition, and that he was not capable of feeling so unworthy a passion against any man. Mr. Sheridan added, that, after the vote of that day, Mr. Hastings and the house would be at issue. The business must then be removed to the proper tribunal. But in the interim he begged the members to recollect, that their votes upon the distinct charges did not constitute Mr. Hastings a criminal; and that they were acting, not as judges, but as prosecutors. The judgment sent was placed elsewhere; and, if Mr. Hastings should be acquitted, unworthy indeed should he hold that man, who either within or beyond the walls of parliament considered Mr. Hastings as other than innocent. The charge was farther enforced by Mr. Rouse, Mr. Fox and Mr. Francis, and repelled by Mr. Samuel Smith, Mr. Le Mesurier, Mr. Dempster, Mr. Nichols and Mr. Vanstuart. Upon a division the numbers appeared, ayes 175, no's 68.

On the nineteenth of February Mr. Burke called the attention of the house to a matter of considerable importance, though he was not prepared to conclude what he had to say with any formal notice or motion. The idea was suggested by the circumstance of one of the gentlemen from India [Mr. Elijah Impey] having lately sold a con-

siderable sum, reported to be 50,000*l.* out of the public funds. Mr. Burke said, that the proceedings upon the impeachment were now arrived to that sort of length, which seemed to make it necessary that some steps should be taken, in order to render the person and property of Mr. Hastings amenable to justice. At present, though a most respectable majority had solemnly decided, that there was matter of impeachment in two of the principal articles, he was at his full liberty, participating freely in all the enjoyments and pleasures of social life. Mr. Burke acknowledged, that he had not formed an ultimate idea respecting what would be the most advisable proceeding for the house to adopt. What he had in contemplation was to move an impeachment on some future day, and, if it were agreed to, then to lodge a notice in the house of lords, signifying the determination, which that house had adopted. Proper steps might then be taken to prevent the party to be impeached from quitting the kingdom, disposing of his property, alienating sums of money, or taking any other method to evade the purposes of justice. Major Scott rose to observe to the house, that the person alluded to as having sold out of the public funds was not Mr. Hastings; and he added, that the whole of his fortune taken together did not exceed 50,000*l.*; and he was confident that he was well acquainted with its amount.

The next day another question was stated by Mr. Dundas, respecting the two situations of sir Elijah Impey, as a witness in the affair of Mr. Hastings, and as a person likely to be impeached upon the imputation of crimes, in which he had been involved jointly with the late governor general. Colonel

Phipps took up this matter in a high style, and declared, that, in his opinion, it was necessary, that the evidence of sir Elijah Impey should be dispensed with in the farther prosecution of the present impeachment; adding, that, so far as related to himself, if sir Elijah were examined, he would not stay in the house, and would take care not to look into the papers, in which his evidence was contained. The doctrine delivered by colonel Phipps was strongly controverted by Mr. Burke and Mr. Pitt; by the latter of whom it was observed, that, if such evidence were not suffered to be taken, it would despoil justice of her most valuable prerogatives; and that he should be ashamed of a minister who countenanced so disgraceful a subterfuge. It was at length agreed, that sir Elijah Impey should be informed, "that a criminal prosecution might be commenced against him for extra official and other conduct during his residence in India, and that the circumstances, on which he was to be examined, might be connected with the charges to be exhibited against him." To this information sir Elijah replied: "I thank you sir. But, being conscious of no guilt, and having no part of my conduct which I wish to conceal, I have no objection to give the house the fullest information in my power."

On the second of March Mr. Thomas Pelham opened the charge in relation to Muzaffer Jung, the nabob of Farruckabad. This prince, Mr. Pelham observed, had made frequent complaints to the governor general and council, from the year 1776 to the year 1780, complaining of the vexations practised against him by the servants of the nabob of Oude, under whom he held his dominions, and to whom he

he paid an annual tribute. At the last of these periods Mr. Hastings obtained of the board, to send an English resident, to protect Muzuffer Jung from the cruelties of the emissaries of the nabob. In the year 1781, Mr. Hastings had stipulated with the nabob of Oude, by one of the articles of the treaty of Chunar, that he would withdraw the English resident from Farruckabad; at the same time recommending to the nabob to do the same by his emissaries; a recommendation, to which he well knew and confidently expected, that the nabob would yield no compliance. In consideration of this and other dishonourable articles of the treaty of Chunar, Mr. Hastings had received a private and corrupt present from the nabob of 100,000 l. His subsequent conduct in 1783 was stamped with still greater baseness and grosser duplicity. To pacify Muzuffer Jung he had a second time obtained from the board their approbation to the appointment of a new resident; and this mock resident, this impotent substitute, who was sent out to insult over the distresses of Farruckabad, had secret orders from Mr. Hastings, not to interfere in any manner in the concerns of the country; and he was at the same time made subject to be recalled at the pleasure of the nabob of Oude.

Mr. Dundas observed, that, with respect to the seeming breach of the treaty of Chunar, he by no means saw it in so criminal a light as it had been stated by Mr. Pelham. Perhaps he was the more inclined to excuse this circumstance, because he never liked the treaty, and had always regretted its having been made. But the nabob of Oude himself had rendered the apparent violation indispensable, by transferring his claim of tribute to

the government of Bengal. It was not impossible, but that there might have been some desirable object in view in the making of the treaty, and so it might have been justifiable to have made it, notwithstanding the evident necessity there would be for breaking it. But what this desirable object was, and how it happened only to be attainable by such indirect, circuitous and exceptionable means, he expected to have fully explained, before he could bring himself to look upon the transaction as innocent or excusable. He should also expect to hear of some actual necessity for the recall of the first resident from Farruckabad, since Mr. Hastings well knew, from the character of Muzuffer Jung, that he would thus be reduced to the alternative, either to submit to the oppressions of the nabob of Oude, or to be pillaged by his own subjects and servants. But Mr. Dundas had never yet heard any explanation attempted upon these subjects, and therefore he little expected to have his present difficulties removed.

Lord Hood rose in defence of Mr. Hastings. He declared, that he had never had any sort of intercourse or connexion with him, and that he did not believe he should recollect his person, were he accidentally to meet him. But he confessed, that he respected and admired his character, for having so invariably made every personal consideration give way to his regard for the interests and welfare of his country. To the best of his judgment he had very maturely weighed Mr. Hastings's supposed errors and delinquencies, and, having fairly balanced them against his eminent services and real merit, he could not hesitate for a moment how to give his vote. If the representatives of the nation in parliament would not

consent to adopt that mode of judging men in high trust and command in foreign service in a period of war, their situations must indeed be unfortunate and miserable. He would be bold to say, that there never was a man in command abroad, that had not found it his duty to do as an officer, for the good of the public service committed to him, what he could not perfectly reconcile to his feelings as a man acting in a private capacity, or to the severe and inflexible rules of equity and justice. Mr. Pitt replied to lord Hood. He should have contented himself to have given a silent vote upon the question, if the high respect which he entertained, in common with the house and the nation, for the character of that nobleman, and which he must ever feel for so distinguished and gallant an officer, had not rendered him more than commonly anxious to counteract the singular weight of his authority, in a case, where in his opinion its operation would be injurious. Lord Hood had argued in general in favour of those, who, being intrusted with the great interests of their country, were sometimes from the difficulty of their situation reduced to the necessity, either of sacrificing those interests, or of violating the direct rules of private justice. Mr. Pitt admitted the propriety of this statement, and that, when a complaint was made against a servant of the public, the grounds of that complaint ought to be weighed with the situation in which he stood. If he suffered the necessities of the service to carry him no farther than was absolutely necessary, and endeavoured, though it could not be done in its full extent, to reconcile his duty to his country with what he owed to individuals, he had then the double merit of discretion, as well as zeal. But, par-

ticularly in the instance which was now under the consideration of the house, there was no ground of state necessity attempted to be shown, and therefore no pretence for those, who saw a criminal tendency in the transaction to refuse their consent to the motion. Mr. Pitt added, that, with respect to the other topic to which lord Hood had alluded, the general merits of Mr. Hastings, there had been a period, in which such an argument might have been urged with some force, but that period was now passed. Mr. Hastings had thought it advisable at the commencement of the enquiry, to disclaim all benefit from such a consideration. He had decisively and boldly declared, that "he desired no set off might be made on the score of his services; for that he was persuaded, instead of the censure, he would ultimately be found entitled to the approbation of the house upon the very facts, which were made the foundation of the charges." After such a declaration from Mr. Hastings, it would have been highly unjust to have departed from the line in which he chose to have his conduct considered, and now, that the house had proceeded so far in the investigation of particular facts, they could not consistently with their own honour interpose to cover him with a shield. The charge was farther enforced by Mr. Francis and sir James Johnstone, and repelled by major Scott, Mr. Vansittart, lord Mulgrave and Mr. Dampster. Upon a division the numbers appeared, ayes 112, noes 50.

On the fifteenth of March the charge upon the subject of contracts and salaries was opened by sir James Erskine. He went through a variety of contracts, which he stated with great clearness, and illustrated by a happy application of metaphors and allusions. He observed, that all of them

them were made in direct violation of the regulations of the court of directors, that the contracts should be given from year to year, and that they should be publicly advertised, and be disposed off to the best bidder. One of these contracts had been held by Mr. Archibald Fraser, the near relation of Sir Elijah Impey. That judge had dispatched affidavits to England, for the purpose of clearing himself from the imputation of having any share in the contract held by Mr. Fraser. Probably these affidavits were the virgin efforts of Sir Elijah's muse. They were his pastoral essays, his songs in *ripas et flumina*, that had been the forerunners of his rushing forward into the field of epic assertions, and singing the *prælia et reges*, the wars of Benares, and the rebellion in Oude. A farther contract was to Mr. Auriol for the supply of Madras with rice and other articles; and to this was added the supply of St. Helena, which was almost at our own door, of Bencoolen, and of Bombay, where, notwithstanding the jobbing mode by which they were frequently influenced, they were astonished at the circumstances of being supplied with rice from a great distance, at double the price at which they could have procured it at their own doors. This contract or agency was expressly given to reward Mr. Auriol for his long and faithful services; surely the most impolitic method of rewarding services that could be devised. Of his expenditures no vouchers were required, but the accounts were not to be given in upon honour. This mode of passing accounts was peculiar to India; as, indeed, honour there was of a peculiar nature. It dreaded the production of proof, had an intuitive abhorrence to the being confronted with truth, and shrunk, like the sensitive plant, from

the touch of curiosity. Upon the subject of salaries, Sir James Briskine particularly mentioned the salary of Mr. Anderson of 18,000l. per annum, as president of the board of revenue, which office he held at the same time, that he actually appeared as ambassador at the court of Madagascaria. He also mentioned the business of Sir Eyre Coote, to whom, in addition to his legal salary of 16,000l. per annum, Mr. Hastings granted an addition of 18,000l. per annum, which last he extorted by compulsion from the nabob of Oude. This conduct had been defended by a libel upon the memory of the late commander in chief in India, as if he would not have marched into the Carnatic, and discharged his duty to the company cheerfully, without that augmentation to his income. He had also continued a payment of 13,000l. per annum to General Stibbert, after the arrival of Sir Eyre Coote, though that allowance had been granted him only while he held the command of the army. The last article mentioned by Sir James Briskine, was that of the opium contract. This had been granted upon terms peculiarly favourable to Mr. Mackenzie for three years; and it had afterwards been disposed of, under circumstances infinitely more unequal, to Mr. Sullivan, son to the chairman of the East India company. Indeed, so palpable had been the abuse in this instance, that Mr. Sullivan had almost immediately sold his contract for a clear profit of 52,000l. Sir James Briskine concluded, that, in the charges already voted, he was willing to town the house of commons had rescued the country from a pressure of odium; but, if they quitted or maintained the present charge, they would send them up to the house of lords materially impoverished; and would only display the

oppressions and extortions of Mr. Hastings, without shewing the ill-judged profusion, the uniform pursuit of a corrupt influence, which had led to those extortions.

Mr. Pitt immediately followed Sir James Erskine, desirous, as he said, by bringing the question into a narrower compass, to shorten in some measure the subsequent debate. He divided the subject of the charge into three heads; the contracts, the salary of general Coote, and the civil establishment. Of the contracts he thought there were several too insignificant in their nature to be entitled to parliamentary discussion with a view to impeachment, and others so circumstanced in point of time, as to be unfit to be made a ground of criminal charge against Mr. Hastings. He called the attention of the house to the period in which the contracts had been made, some of them, not only previously to the re-appointment of Mr. Hastings by an act of the legislature, but which even before that time had been censured by the court of directors, and been made the subjects of parliamentary enquiry, without being thought a bar to his re-appointment. The agency of Mr. Auriol, Mr. Pitt was so far from thinking a proper topic of censure, that he conceived it entitled to very high commendation. Surely the common mode of proceeding by public auction could not be admitted in this case. Would they have had Mr. Hastings, at the moment when the very existence of the Carnatic was at stake, when the lives of his countrymen, and the possessions of his employers depended upon his spirit and dispatch, delay to procure them the means of preservation, till he should have discovered the cheapest method, by which those means were to be furnished? Was he to publish to the enemies of the company and of Great

Britain, that a most valuable part of our territory was likely to be a prey to famine, and to point out the means of intercepting the supplies, that he was about to send them? When he considered the promptitude and the seasonableness of the supply, he could readily excuse in Mr. Hastings a venial preference for a particular person, as the vehicle of that supply. Mr. Pitt was equally averse to the animadverting with severity upon the articles of the civil expenditure, when he considered the very great increase of revenue that Mr. Hastings had created, and that any profusion, that might have existed, would be merely temporary, on account of the salutary regulations, which had lately been sent out from home. Mr. Pitt moved an amendment, that the charge contained matter of impeachment "in respect to the contract for bullocks in the year 1779, to the contract for opium in the year 1781, and to the increased salary of Sir Byre Coote." Mr. Burke observed, that he could not readily admit of the amendment of Mr. Pitt, since the object of the charge was to show the general spirit of Mr. Hastings's government; and since it was to illustrate a leading feature in his administration, and to prove that he acted upon system, and that a very depraved system, that he had brought forward so many examples. He therefore moved a farther amendment, to include the principal articles, which had been omitted by Mr. Pitt. Major Scott vindicated the two contracts which had been censured by the minister. The bullock contract of 1779 had proved a most economical measure, since, though its terms were higher than those of that which had preceded it, yet the army had in consequence had a constant supply of draught cattle, of

of which they had till that time been always in want. The opium contract major Scott acknowledged to be very profitable; but in this there was no secret, it was notoriously an affair of favour and patronage: a great revenue was created for the company, and a good thing was left for the disposal of the government of Bengal. The charge was farther supported by Mr. Francis, and opposed by Mr. le Mesurier and Mr. Dempster. At length the house divided upon Mr. Burke's amendment, ayes 66, noes 52, and upon the main question, ayes 60, noes 26.

On the twenty second of March, the charge respecting the nabob Fizulla Khan was opened by Mr. Windham. Previously to the going into the consideration of the charge, Mr. Francis suggested a proposal, for the examination of witnesses by a select committee, as the number of members that attended their examination in the house was extremely few, and in the last instance had scarcely been more than eight during the whole day. This proposal was not adopted; but Mr. Pitt took occasion from it, to inveigh with great asperity against Mr. Francis, for having caused the letter of a Mr. Mercer, containing in the conclusion a vague and general censure of Mr. Hastings's administration, to be inserted in the minutes of evidence. Mr. Pitt said, that he should be particularly jealous of any proposal respecting the examination of witnesses, which should come from Mr. Francis, after the dishonourable and disgraceful situation, in which he had on that occasion involved the house. He had taken a shameful and uncandid advantage, and had made the house in some measure his accomplices, in recording and publishing a most indecent libel, full of the grossest and most violent calumnies

against Mr. Hastings. He should, therefore, give his most determined opposition to the present proposal, as from this recent transaction, it too plainly appeared, that such a step, illegal in itself, would probably be pushed to the utmost extent of illiberal and dangerous consequences. Mr. Francis defended his conduct. When he had read Mr. Mercer's letter, he had felt himself under some difficulty. He had been sorry to find so much of the contents irrelevant, though he had never imagined it to be a gross and malignant libel, or suspected, that its indiscreet and general reflections could be in the smallest degree injurious to truth and justice. He had thought himself obliged to produce the whole letter, or no part of it. Had he produced an extract, and been known to have done so, he should have been charged with the suppression of evidence, and innumerable insinuations would have been thrown out against him. Mr. Francis was farther vindicated by Mr. Pelham and Mr. Sheridan.

In opening the charge upon the subject of Fizulla Khan, Mr. Windham stated the circumstances and character of that prince. Upon the invasion of Rohilcund, he had made good his retreat to the mountains. From that situation he had negotiated, through the interposition of the English, a treaty with Suja ul Dowla, signed at Lall Dang, by which the Nabob of Oude acquired a considerable increase of revenue, and for the attestation of which Fizulla Khan had paid to colonel Champion, the valuable consideration of 150,000*l*. Among the articles of this treaty it was stipulated, "that Fizulla Khan should maintain in his service five thousand troops and no more; that, in case of a war being undertaken by the nabob of Oude, he should send to his

his assistance two or three thousand men according to his ability; and that, if the nabob should march in person, he should accompany him with his troops." Fizzulla Khan was of all the princes in India the least likely to occasion any kind of disturbance. He lived in his dominions like an ancient patriarch; by indefatigable attention he rendered every part of them fertile and productive; and he had been described by Mr. Hastings as the father of agriculture. In the year 1778, Mr. Daniel Baswel had been sent to this prince, and, through his instigation, he had been led, to entertain doubts respecting the guarantee of the company, and to solicit a new guarantee through the medium of Mr. Middleton, for which he paid 20,000*l*. In 1780 a demand had been made from Fizzulla Khan of five thousand horse; which was double the number of troops he was obliged to furnish, among which troops Mr. Hastings had afterwards confessed, that the including of a single horseman would have amounted to a literal compliance with the treaty. This conduct was either intended to practise in a very dishonourable manner upon the timidity of Fizzulla, or, at the lowest estimate, was an instance of inadvertency and negligence, which was highly criminal in so important a station. In 1781, Mr. Hastings withdrew by the treaty of Chunar the guarantee of the company, twice given to Fizzulla Khan. That Mr. Hastings never intended, that the stipulated permission to the nabob of Oude, to resume the territory of Fizzulla Khan should be carried into execution, was in Mr. Windham's idea an additional aggravation of Mr. Hastings's criminality. He first made use of the credit of the British name to delude the nabob of

Oude; and he next suggested to Fizzulla Khan, that the British government, notwithstanding its repeated guarantee, had thought themselves at liberty to stipulate by treaty, to assist the nabob in dispossessing him of his territories. Major Scott declined entering at large into the defence of Mr. Hastings upon this article, but observed in general, that any ideas of the oppression and injury suffered by Fizzulla Khan, would vanish of themselves, when it was considered, that, during the whole of Mr. Hastings's administration, that prince had enjoyed an uninterrupted series of peace and prosperity. Mr. Dundas suggested, but did not mean to press an amendment, confining the impeachment upon this article to that part of it, which concerned the treaty of Chunar. Mr. Burke endeavoured to remove the objections of Mr. Dundas, whose amendment was not put to the vote; and the house having divided upon the charge, the numbers were, yeas 96, noes 37.

The votes, by which Mr. Hastings's conduct was declared to be an object for impeachment in five different instances, had hitherto passed in a committee of the whole house. As soon as the house was resumed after the present division, it was moved, that the chairman of the committee, Mr. Saint Andrew Saint John, should report to the house, that the committee had come to several resolutions, which they had directed him to report, and Monday the second of April was proposed for the receiving of this report. This period was objected to, as too early, by Mr. Burges, but was voted without a division. Mr. John James Hamilton, who had distinguished himself in the preceding session, by urging the complete consideration of the charges before

before the house was prorogued, moved on Tuesday the twenty seventh of March, that the report of the resolutions of impeachment should be deferred, till after the Easter recess. He declared his opinion, that, when the enquiry preliminary to the projected prosecution was first instituted, the conduct of those engaged in it had been virulent and prejudicatory; but he was free to confess, that the house had lately acted in the business with a degree of deliberation, becoming their dignity, and due to the solemnity and importance of the occasion. Would they now, on the eve of concluding their labours, adopt a new system of conduct, and consent to be precipitate in the very moment, when it best became them to be temperate and cautious? It was well known, that the house of lords could not possibly determine the cause during the present session. This unseemly precipitation therefore would neither render the judgment more decisive, nor accelerate its period. Mr. Hamilton spoke in terms of great indignation of the manner, in which Mr. Burke had on a former day hinted to the house, that Mr. Hastings was free in his person, and had full liberty to enjoy the comforts of life, and all the common benefits of nature. Mr. Hamilton's motion was seconded by Mr. Philip Yorke, but was opposed by Mr. Fox, Mr. Burke, Mr. Pitt, Mr. Dundas and Mr. Grenville, and at length, with the consent of the house, withdrawn.

On Monday the second of April Mr. Sheridan opened to the house the charge against Mr. Hastings upon the subject of presents. In reviewing the conduct of the late governor general, Mr. Sheridan had found it to spring from a wild, irregular and eccentric mind. He had been every thing by fits and

starts; now proud and lofty, now mean and insidious; now generous, now gripping; now artful, now open; now temporising, now decided: in pride, in passion, in every thing changeable, except in corruption. In corruption he had proved uniform, systematic and methodical. His revenge was a tempest; a tornado, blackening in gusts of pride the horizon of his dominion, and occasionally carrying all before it. But his corruption was regular and the same; a trade wind, which always blew from the same point of the compass, and upon which the circulation of all the wealth of India depended. Mr. Sheridan alluded to the history of the act of 1773, by which presents were prohibited. In the house of lords it was thought, that it had left the commons without a sufficient provision for the prosecution of the violators; and earl Mansfield had inserted a clause, declaring, that all presents were the property of the company, in order by this means to found a legal title to a civil suit upon what was termed a fiction of law. This clause Mr. Hastings had perverted from its true meaning, and had pretended a right to receive as many presents as he pleased, provided he carried them to the account of the company. Mr. Hastings had also spoken in strong terms of the generosity of the natives. He did not question this virtue in the inhabitants of Indostan, nor did he doubt the exactness of Mr. Hastings in working upon it effectually. With so much power in his hands, with an army of fifty or sixty thousand men, he had most certainly the means of exciting in their breasts the flame of benevolence.

Mr. Sheridan mentioned first those presents, which were subsequent to the regulating act of 1773; and first

first a sum of 20,000*l.* received from Cheit Sing in the year 1780. The present was received in June, but never mentioned to the directors till November, and then it was not stated from whom the money came. Major Scott, who had first explained that circumstance to the select committee, had declared his belief, that the native princes would much rather give Mr. Hastings a present of two or more lacks of rupees, than pay them to the company, as part of their debt to the British government; a position, which clearly proved, that the government of India was founded upon a system of corruption. But such, it had been urged, were the prejudices of the people! Could it be seriously imagined, that, at a time when 50,000*l.* was due from Cheit Sing to the East India company, the acceptance of 20,000*l.* by the governor general was not attended with some friendly and seducing hint of a relaxation on the part of his constituents? A raw and artless negotiator might not have thought of any compromise. But, in the case of Mr. Hastings, the boon, which was privately presented, did not for a moment divert his zeal from prosecuting the demand of the company. Cheit Sing's agent, it seemed, was commissioned by his master to give Mr. Hastings the strongest assurance of his future obedience and submission to the orders of government, and to request his acceptance of 20,000*l.* as a present for himself. His reply was, that he cordially received his submission and assurances of obedience, but that he must absolutely refuse his present, which he did. This Mr. Sheridan said was a sentence in which the words were a little transposed; for the truth was, that Mr. Hastings cordially received the present, and absolutely refused to accept Cheit

Sing's submission and obedience. Accordingly it appeared, that on the twentieth of June he had received the 20,000*l.* and the very next day he entered the minute, under the authority of which that unfortunate prince was ruined. Mr. Sheridan next mentioned 30,000*l.* received from the raja Nobkissen, an inhabitant of Calcutta, which Mr. Hastings intended to borrow, but respecting which Nobkissen intreated, that he would rather accept the money than execute the bond. This proposal, to which Mr. Hastings made no answer, was a fresh proof of the dread, which the natives entertained of the governor's pledge of faith. "Take my money and welcome, said Nobkissen; but place me not within the peril of your promise. Pledge not your faith to me; I know too well the consequences. I have heard of the treaty of Chunar; I have heard of your treatment of Fizulla Khan; I dread the circumstances, which follow upon the engagement of the governor general." Thus did Mr. Hastings fill the breast of this unfortunate man with painful apprehensions; lest, when he returned home, he should find a bond, thrust perhaps underneath his door at midnight, or by some unworthy stratagem placed upon his table. Upon this occasion it ought to be recollected, that Nobkissen was notoriously the most avaricious black man in Bengal; but, in the description of this insatiable thirst for money, Mr. Sheridan did not mean to draw an invidious comparison between the raja and a disinterested European. He would not insist on the unprecedented charge of contingent expences for a period of more than twelve years; by which Mr. Hastings, having acknowledged this sum of money privately received, turned it to his own emolument.

Mr.

Mr. Sheridan next mentioned the celebrated present of 100,000*l.* at Chunar, and spoke with considerable ridicule of the affidavit of Mr. Larkins, in which he swore, that a letter dated in May 1782, but not sent till December, giving an account of this circumstance, had not been opened since Mr. Larkins had parted with it out of his hands. This present Mr. Hastings stated as a deposit, leaving it to the company to decide whose property it should be. Another present of 100,000*l.* was after a curious manner demanded of the nabob of Oude. Mr. Middleton was ordered to communicate Mr. Hastings's refusal of an offer to that amount, which the nabob was supposed to have made. Mr. Middleton on a sudden became conscientious, and major Palmer was actually sent to persuade the nabob not to keep the resolution to which he had come, of presenting Mr. Hastings with that sum. But it afterwards came out, when major Palmer waited upon the nabob, that that prince had never before heard, either of the intention, or of the demand. Mr. Sheridan proceeded to the presents, which in point of time had been prior to the regulating act of 1773, and mentioned in particular 15,000*l.* taken from Munny Begum for the appointment of a guardian to the minor nabob of Bengal; and the appointment of Jewan Khan to the office of *phouddar* of Hughley, with a salary of 7000*l.* per annum, one half of which Mr. Hastings was charged by Nunducumar with having taken to himself, as a gratification for the appointment. He concluded with observing upon the difficulty of ascertaining the articles of a charge of this sort, the transactions of which were of course of a private nature; and, comparing the present with the former charges; he observed, that,

though, within this rank, but too fruitfull wilderness of iniquities, this dismal and unhallowed labyrinth, it was most natural to cast an eye of indignation and concern upon the huge trunks of revenge, rapine, tyranny and oppression all rising in the dusky magnificence of guilt; yet was it not less necessary, to trace out the poisonous weeds, the baneful brushwood, the little creeping deadly plants, which were in their noxious effects, if possible, still more alarming and extensive.

Major Scott replied to Mr. Sheridan. He said, that the assertion, that Mr. Hastings, the next day after having received the present from Cheit Sing, had entered a minute with an hostile intention against that prince, was utterly unfounded. The present had been made, not to purchase forbearance of a future demand, but to atone for a former resistance to that demand. The second present of the nabob, which Mr. Sheridan had mentioned, major Scott affirmed, had never been made. The nabob had expressed his unwillingness to pay it, and there the matter ended. He declared, that, if the act of 1773 were misunderstood by Mr. Hastings, which, upon the authority of the principal lawyers he was now bound to believe, it had been equally misunderstood by the court of directors, by the present minister, and by the board of controul. If the presents, received previously to that act, were now to be revised, there could be no end of investigation; and, as to Nunducumar, the first character in this country had declared, that his evidence went for nothing; and it was proved beyond a doubt, that Mr. Hastings had no concern in his apprehension, his trial, or his execution. The disinterestedness of the late governor-general, was, in
major

able prerogative. Was it not one of the most important objects of the right of impeachment, that it vested in the house of commons a power of arresting the progress of a minister in the hey-day of his influence, and of bidding defiance to those methods, by which whole nations and communities of men were often held under the lash of terror? But how did it give them this power? By the dispatch, with which it was accompanied; by the custom and law of parliament, which forbade them; when they were satisfied with the existence of the guilt, to delay the great and binding resolution for the impeachment for a single moment. If it were otherwise, a minister, who saw no resource for his safety, but in a bold and desperate conduct, might avail himself of the confidence of the crown, and advise a prorogation or a dissolution of parliament. Or, if he were possessed of great popular influence, he might, while that house were hesitating upon the form of their charge, go off into outrages of the most dangerous tendency, and create animosities and violences, through the kingdom, which all the greatness of parliament might not be able to appease. Mr. Fox entered into an examination of the precedents, in the case of the earl of Danby, of lords Oxford and Bolingbroke, and of the earl of Macclesfield, and endeavoured to show, that they were uniformly in his favour: He added, that, if he appeared to deliver his sentiments with some emotion upon the present occasion, he could declare, that it was a warmth rather arising from his consciousness of the importance of the business, and his sense of the deep degree, in which the honour, the dignity and the character of the house and the nation were involved in it, than from any spark of passion or intemperance

of feeling. He had merely delivered his individual sentiments, independently of party or connection, and it was possible they might not be supported.

Mr. Pitt was convinced, that the becoming warmth of Mr. Fox proceeded from an unfeigned zeal for the true rights and honour of the house. He should be extremely willing to coincide with his sentiments, and to give up his own, could he for a moment suppose, that the great object they had both in view, would be better or more certainly obtained by a conformity to those sentiments. He was ready to confess, that, whatever might have been his opinion in the origin of the proceeding, he was now fully satisfied, that no consideration ought to influence the house after what had passed, to reject or hesitate upon the vote of impeachment. He professed to be as deeply and as earnestly engaged in this object, as any member of the house, and greatly indeed should he accuse himself, if any step adopted by him should prove injurious to the ultimate proceeding. With respect to the comparison of Mr. Hastings's guilt and his services, Mr. Fox was undoubtedly mistaken. How was it possible to form that comparison, unless they first separated and analysed the charges, and then, having a clear view of a certain degree of ascertained guilt, determined, how far that guilt would weigh against whatever degree of merit might be alledged in his favour? He denied that any ultimate delay would arise from the mode he suggested, as in neither case could the house of lords take up the business till the articles were framed. Mr. Pitt acknowledged the propriety of what Mr. Fox had said, respecting the impeachment of a minister in actual office, and observed, that for two di-

different classes of criminals two different modes of proceeding were formed. In the case of a minister, the offences of which he was guilty must be in themselves so great, so public, and of so palpable a nature, that no doubt could possibly arise as to his criminality; but in the present case the accusation consisted of a diffuse and complicated mass, of many charges which had not been substantiated, and of many facts which could not be considered as criminal. Mr. Pitt farther adduced the impeachment of the earl of Arlington, and that of lords Portland, Somers, Oxford, and Halifax, as precedents in favour of the mode he recommended. Mr. Burke declared, that he had never spoken under a greater pressure of embarrassment and doubt, than at this moment. Nothing could give him so much concern as to differ from Mr. Fox; yet, as it appeared to him that unanimity would best be consulted by adopting the contrary mode, he should advise against his own judgment, for, if he had any preference, it must be for the constitutional proceeding suggested by Mr. Fox, that that mode be adopted. Unanimity was now more than ever essential, and he was happy to observe, that, the more the enquiry had advanced, the more unanimity had been generated. Without doors men's minds had been changed, rooted prejudice had been eradicated, and conviction had followed. Within doors the topic had operated, as an excitement to the display of all the finer powers of the human understanding. It had gone much farther, softening almost into a bond of union the hitherto obdurate hearts of contending politicians, sheathing the sword of embattled party, and lowering its hostile front. Mr. Sheridan assented to the compromise of Mr. Burke.

1787.

The day following the resolutions were read a second time. Upon this occasion major Scott declined the opposition, which he had intended in this stage of the business, and expressed his intention to reserve himself for the vote of impeachment. At the same time he read to the house an intimation upon the subject, signed by Mr. Hastings, in which he stated it, "as the only request or application, which he had hitherto permitted himself to make to any of the individual members of the house on the process of this business, that, if the house agreed to the report, and resolved, that there was ground for impeaching him of high crimes and misdemeanours, they would afford him the benefit of their votes, though united with those of his prosecutors, that he might be brought to his trial. He trusted, that the house of commons would not suffer his name to be branded upon their records, without allowing him at the same time the only legal means of effacing them." Mr. Fox said, that, after the reading of this paper, it would be extremely unfair, if he were not to warn major Scott, that the fit opportunity for him to rise with any hope of success, was at that moment, since, if he let so favourable an occasion slip, the very circumstance, which he wished to avoid, must happen, and the resolutions must stand upon the journals, where the agreeing to read them a second time would inevitably place them. The resolutions passed without a division, and were referred to a committee, who were directed to prepare articles of impeachment against Mr. Hastings, and were empowered to send for persons, papers and records. The committee consisted of Mr. Burke, Mr. Fox, Mr. Sheridan, Mr. Pelham, sir James Erskine, Mr. Windham, Mr. Saint John,

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John, Mr. Francis, sir Gilbert Elliot, sir Grey Cooper, Mr. Frederic Montagu, Mr. Welbore Ellis, general Burgoyne, colonel North, Mr. Taylor, Mr. Grey, Mr. Anstruther, Mr. Adam, Mr. Dudley Long, and lord Maitland. Upon the nomination of Mr. Francis the house divided, ayes 96, noes 44. Mr. Pitt and Mr. Dundas were both of them expressly invited to become members of the committee, and both declined it.

On the nineteenth of April the charge respecting the revenues was opened by Mr. Francis. He began with vindicating his own conduct with respect to Mr. Hastings. He said, that his opposition to him as governor-general had been conducted upon public grounds, and that he had never used any personal reflections or invectives, though every other person at any time in office with Mr. Hastings, even Mr. Barwel, Mr. Wheler, and sir Eyre Coote, had occasionally treated him with personal indignity and violent reproach. He alluded to the circumstance of the duel he had fought with Mr. Hastings. When he received the wound, he had not imagined he should survive; he gave Mr. Hastings his hand, and declared that he forgave him. But what was it that he forgave him? Why the insult that had occasioned the duel, and the being the author of his death. He did not relinquish his opinions on the public conduct of Mr. Hastings; he did not promise to abandon those opinions in case he should survive; or to desist from endeavouring to institute an enquiry in England, which he had always declared to Mr. Hastings himself he would institute.

Mr. Francis enquired into the tenure of the zemidars of Bengal. He said, that it was absurd to consider them, as mere officers of go-

vernment, or collectors of the revenue, since in that case their estates would not be divisible after death into shares to their children, nor was it likely they would descend to women. He said, that Mr. Hastings had adopted no less than a dozen different modes of managing the revenues of Bengal in the course of fifteen years. He seemed to know, that, if once there were a fixed settlement, there must be an end to speculation; and he therefore took care to avoid coming to any thing like a fixed settlement. Miserable was the state of the provinces in 1771, in consequence of the dreadful famine which had taken place in Bengal and Bahar; and yet, Mr. Hastings had embraced that opportunity of fixing the revenues for five years, at a higher rate than had ever been received before, and with a progressive and accumulating increase. This scheme had been conducted through the committee of circuit. The consequence of it had been the subsequent adoption of the project of 1781, by which the whole landed property of the country was put up to a pretended auction. The proprietors were universally dispossessed of their estates, and banyans, thieves and adventurers of all sorts were put into possession of the lands. Under this settlement Canto Baboo, Mr. Hastings's banyan, had held farms to the amount of 135,000 l. in open defiance of the regulation of the directors, by which it was ordered, that no persons should hold a farm of more than 10,000 l. The directors had ordered, that the persons composing the committee of circuit should be prosecuted; but Mr. Hastings had proposed, and carried it in council, that directions should be given for withdrawing those prosecutions, as they would only be productive of expence to the company,

pany, and unmerited vexation to the parties. The provincial councils, after having subsisted eight years, had been abolished, and an unconstitutional committee of revenue introduced, nominally under the direction of persons who were actually employed in distant embassies, but really under that of Mr. Croftes and Gunga Gorind Sing, who was a notorious and adroit villain. Mr. Francis mentioned the corrupt disposal of the province of Jahar in perpetuity to Kellaram and Cullian Sing. He observed upon the boasted monopolies of salt and opium, and said, that a monopoly of a necessary of life was not a very new or wonderful discovery in finance, though it were in reality very destructive. When Mr. Hastings came into possession of the Bengal government, he found it a fertile, wealthy, populous, and prosperous country. It contained a regular gradation of ranks like a pyramid, from a well ordered yeomanry up to sovereign princes. There were in it nobility, clergy, gentry, farmers and labourers; but, through the corrupt and unprincipled government of Mr. Hastings, all these distinctions had been broken down and destroyed. The whole nation had been pounded into one general mass; so that the prince was no otherwise discoverable from the peasant, than by the superiority of his sufferings, and the humiliating portion of tyranny to which he was forced to submit. Mr. Francis concluded, "My particular labour is now at an end. An unremitting perseverance of thirteen years has at last conducted me to that issue, which has been the object of all my efforts. Mr. Hastings must now be impeached. Let him have a fair trial: I desire no more. In arriving at that object, I have secured every personal purpose that I ever

had in view. The reputation of Sir John Clavering, colonel Monson and myself are secure. Your votes are my authority. The house of commons are my compurgators. The only victory I ever aimed at, was, to clear my character from foul aspersion, and to establish, as I trust I have done, the integrity of my conduct in the estimation of my country."

Major Scott asserted, that the auction of 1781 was authorised by the court of directors, and was founded upon the precedent of several districts, which had been disposed of in that manner from the time we had acquired them. He apologized for the creation of the committee of circuit, by observing, that at that period the directors had been compelled to pay government 400,000 l. per annum, and the proprietors insisted upon a dividend of twelve per cent; so that Mr. Hastings was obliged to increase the revenues as much as possible. He said, that the grant to Canto Baboo had preceded Mr. Hastings's entrance upon the government, and that the establishment of the provincial councils, which had originally been temporary, had been continued only in compliment to the ignorance of Mr. Francis and his colleagues. Mr. Pitt declared his dissent from the motion. There was only one point in the charge, in which he could agree with Mr. Francis, and that was the presents of Kellaram and Cullian Sing, which had already been anticipated in the charge moved by Mr. Sheridan. Mr. Pitt acknowledged, that his opinion was favourable to the perpetuity of the zemidars; but he conceived, that a point that admitted of so great variety of opinion, could by no means be the proper ground of a legal enquiry, or of an impeachment at the bar of the

house of lords. Mr. Fox could not suppress his astonishment, that Mr. Pitt should lay out of the scale of preponderating criminality that matter, which in his mind weighed most against Mr. Hastings, the having at once seized upon all the lands, the undoubted property of the zemidars, dispossessed them of their ancient inheritance, and put up their possessions to public auction. Such an act of tyranny was unexampled in any government, at any period, or under any circumstances; so broad, so glaring, so intolerable an act of violence, struck him with so deep an impression from the first moment that he heard any thing of the charge, that he had regarded it as that feature, which must flash conviction upon the mind of every man, who had a spark of humanity in his breast, or a single feeling for suffering individuals. In the course of the debate an altercation took place between Mr. Rouse and Mr. Burke, the former objecting to Mr. Francis's description of the tenure of a zemidar, and the latter quoting Mr. Rouse's testimony before the select committee in confirmation of it. Mr. Barwel took notice of the allusions that had been made to him in the course of the evening, and desired, that, if there were any charge against him, it might be urged. Mr. Burke replied, that his hands were sufficiently full already, but added, that, if Mr. Barwel were really anxious to be accused, he would, when at leisure, apply himself to the subject. At length the house divided, ayes 71, noes 55.

On the twenty-fifth of April Mr. Burke reported from the committee, to whom it had been referred to prepare the articles of impeachment, that they had completed several of them, which he accordingly presented and delivered in at the table.

On the ninth of May this report was taken into the consideration of the house, and it was opposed upon its second reading by lord Hood, Mr. Wilkes, Mr. Illy Campbello and Mr. alderman Townsend.

Mr. Nathaniel Smith entered at large into the merits of the business. When he considered, that the motives, which had impelled Mr. Hastings in the transactions in question, were involved in a great degree of obscurity, and in several respects misrepresented, he thought himself obliged, from the acquaintance he must be supposed to have with the subject, to remind the house of several considerations, calculated to assist their judgment. It had proved a very unfortunate circumstance for this country, that, when we first came into possession of the duannee or royal revenues of Bengal, a strange insatiation prevailed, as if the sources of our new acquired wealth were almost inexhaustible. Slumbering in security over this idea, the ministers and the company were alike solicitous to obtain large annual remittances. In 1767, the year after the acquisition, government brought the company to stipulate the yearly payment of 400,000 l. and the proprietors at the same time divided twelve per cent. This intemperate zeal on the part of the ministers to grasp at immediate wealth, was the origin of our wars in India, and of all those distresses and embarrassments, in which we were involved during the later years of Mr. Hastings's government. The rulers abroad, goaded by the pressing demands of the company, to send home large annual investments without drawing bills on England, and perceiving, that any doubts or apprehensions of the insufficiency of the revenues were either disregarded or ill received, had recourse to treaties, for sub-

subsidy or tribute from the neighbouring states in return for protection and assistance. Hence it was that Mr Hastings in 1773, a year and a half after he came to the government of Bengal, in order to relieve the distresses of the country from an exhausted treasury and a heavy bonded debt, was impelled to depart from the wise and prudent system of defence recommended by lord Clive, and to engage in the Rohilla expedition.

Of this ministers expressed no disapprobation, though it was undoubtedly their duty to have done so, whenever they saw political misconduct. Influenced by that consideration, and perceiving, that casual aids were the principal object which was demanded from India, the governor general proceeded in the same line, and became entangled in negotiation and intrigues with the rajahs of Bundelcund and Berar, the rana of Gohud and others, till the three great powers of Decan and Indostan became alarmed for their future safety. This mode of proceeding Mr. Smith altogether disapproved. When two powers existed in the same state, neither of which could legally control the other, the natural consequence must be, that the opulent and weaker power would have recourse to intrigues and pecuniary indulgences, in order to guard against oppression and irregularity in the stronger. This sort of double government had prevailed in the Carnatic for thirty years, in Tanjore ever since 1773, and in Oude from the death of Suja ul Dowla. By the treaty of 1775 we maintained a brigade in the dominion of the nabob, and a resident to watch over and control the intrigues of his court. There were beside forty-eight British subjects, commanding the immediate troops of the nabob, who were not

liable to martial laws, and who exercised their authority independently of control. This treaty was concluded under the influence of general Clavering and Mr. Monson, whose memory Mr. Smith highly respected, but who certainly in this instance had been guilty of a gross mistake. He was satisfied, that, however Mr. Hastings had erred in political measures, or however unfortunately for the company those measures had closed, he was actuated by no private motives, but by a laudable desire to aggrandize and enrich his country.

Mr. Smith now came to the transactions of 1781. Fortunate would it have been for the company, if lord Macartney had been appointed to the government of Madras twelve months sooner. Hyder in that case would have been successfully repelled at his first entrance into the Carnatic, or by the invasion of Mysore our troops would have found him full employment in the defence of his own dominions. In the hour of danger and dismay the governor-general had been driven, in order to relieve the public wants, to act upon the despotic principles of the Asiatic states; by endeavouring to extort from the raja of Benares some portion of the wealth he had hoarded in Bidjegur, and to exact from the begums of Oude, who would sooner have parted with the whole of this treasure to promote our ruin, than a part of it to assist us, the payment of arrears of subsidy due from that country. This project had originally been the suggestion, not of Mr. Hastings, but of the minister of the nabob, Hyder Beg Khan; and it was to be lamented, that the former did not openly avow the real motive for so oppressive a measure, rather than attempt to cover it under any other pretext. When the begums refused

to comply with this requisition, force only could compel them. In the exercise of it some cruelties were likely to arise, and some would probably be magnified. The minister's treatment of the eunuchs, while they were under his care, was highly improper, and ought not to have been suffered. The withholding from the inferior women of the palace and the children, the necessary subsistence for two or three days, was a wanton act of cruelty, not to be palliated. But this ought not to be imputed to Mr. Hastings, for he knew nothing of the circumstance till after it was over. His motive to these transactions, was, to prevent the armies in the field from falling too largely into arrears, and so from mutiny or disbanding. If either of those events had happened, it would have been fatal; a general massacre of the Europeans would probably have ensued, and not a Briton have returned to relate the melancholy event. Mr. Smith was properly satisfied, and particularly from the information of a man of high integrity, a brave and gallant officer now no more, that the presents Mr. Hastings had received were faithfully applied to the service of the company. The mystery and concealment, with which they were attended, had proceeded, not from corrupt motives, but probably from fear of the operation of a dangerous example. The conduct of the zemindars, who had taken advantage of our ignorance in order to impose on our officers, justified Mr. Hastings's treatment of them. Mr. Smith condemned the constitution which had existed in the council of Bengal, and ascribed to it many of the calamities of Mr. Hastings's administration.

Though he had frequently opposed and censured Mr. Hastings's measures, he had never been blind

or inattentive to his virtues, his disinterestedness and contempt of money, the liberality of his mind, and his encouragement of learned men. He was confident his fortune was inferior to that of many who had served under him: and he would not have presumed to make such an assertion, but from information, that, he was well convinced, would not mislead him. Mr. Smith commended the study and improvements which Mr. Hastings had made in the system of finance, and the encouragement he had given to the cultivation of the soil, and the manufactures of the provinces. Many of the great families in Bengal had fallen into decay or were dispersed; but that most ever be the case, when countries changed their masters. In the Carnatic this had happened in a much greater degree, though it had had no other causes, than the ambition and avarice of the nabob of Arcot. The inferior description of inhabitants enjoyed now as much general freedom and security of property, as ever they did under their favourite Acbar. Mr. Smith had been anxious for the recall of the late governor-general, though he acknowledged, that the composure and firmness of his mind, in the height of our distress, had greatly contributed to preserve our dominions. When he took a review of the whole tenour of his government through the course of thirteen years, he thought, that the errors of his political conduct were so greatly over-balanced by his virtues and his services, that he justly deserved, instead of disgrace, to receive a generous and liberal treatment from his country.

Mr. Pitt replied to the preceding speakers. Lord Hood and Mr. Wilkes had urged a comparison between Mr. Hastings's errors and his services; but such was the opinion, that

that Mr. Pitt entertained of the importance and criminality of many of the charges, that he could not conceive how the greatest merits, that had ever been imputed in this case, could be set in opposition to them, as a plea even against conviction and punishment, much less against enquiry and trial. Mr. Hay Campbel had insisted upon the analogy between the proceedings of the house and those of a grand jury, and had quoted the opinion of Blackstone, that "a grand jury ought to be thoroughly persuaded of the truth of an indictment, so far as the evidence goes, and not to rest satisfied with remote probabilities, a doctrine, that might be applied to very oppressive purposes." Upon this Mr. Pitt observed, that, if the house of commons were to take the proceedings of a grand jury as their precedent, it would amount to a complete dereliction of the function of impeachment, a function, which had been the bulwark of the constitution, and which had enabled the house to maintain the freedom of their country through the several struggles they had made for that purpose. To illustrate this he mentioned the circumstance, that the house was not competent to take depositions upon oath. Mr. alderman Townshend had censured the language of the prosecutors, as full of grossness and personal asperity. With regard to this Mr. Pitt confessed, that he had once been of the same opinion, but, when he discovered the nature of the crimes that were alleged, and how strong was the presumption that the allegations were true, he could not expect, that persons, who were reciting what they thought of actions of treachery, violence and oppression, and demanding an investigation into those actions, should

speak a language different from that, which would naturally arise from the contemplation of such actions. Mr. Pitt now came to Mr. Smith. He said that, admitting the improper dispositions and unreasonable expectations of the government at home, no argument could be drawn from thence to screen Mr. Hastings from punishment. If he received improper orders from his employers, was it not his duty, to undeceive them, and by a proper representation to excuse himself for the non performance of their commands? With respect to the presents, Mr. Pitt could not accede to the opinion, either that Mr. Hastings had received those sums with an intention of applying them to the service of the company, or that he had actually applied them all in that way. Had that been his intention, he would have kept such accounts, and made such immediate communications of them, as should clearly prove that it was so. Mr. Burges read a very respectful address, sent to Mr. Hastings six months after his departure from Bengal, and signed by six hundred officers of the British army. The second reading of the report was opposed by lord Mulgrave, major Scott and Mr. Sumner, and supported by Mr. Martin and sir Philip Jennings Clerke. Upon a division the numbers appeared, ayes 175, noes 89.

Upon the following day it was voted, that Mr. Hastings be impeached; and Mr. Burke was directed, "in the name of the house of commons, and of all the commons of Great Britain, to go to the bar of the house of lords, and impeach Mr. Hastings of high crimes and misdemeanours; and to acquaint the lords, that the commons would with all convenient speed

exhibit articles against him, and make good the same." The message was instantly delivered, and on the fourteenth of May the articles, which had already been prepared, were sent to the house of lords. On the same day Mr. Burke moved an impeachment upon the sixteenth article of the charges of the former session, the title of which was misdemeanours in Oude. Major Scott and Mr. Dempster opposed the article, but it was carried without a division. It was immediately referred to the secret committee, and was digested into twelve articles, being the concluding twelve of the twenty, which were presented by the commons at the bar of the house of lords. These twelve articles were reported on Thursday the twenty-fourth of May, and on Monday were carried to the bar of the house of lords; major Scott at the same time protesting against the inaccuracy of the proceeding, as he was sure, that there were not ten members in the house who had read a line of them.

In the debate of the ninth of May Mr. Courtenay had dropped the expression, of lord Hood's having been a spectator of the victory of the twelfth of April, for which he immediately apologized, but the mention of which was five days afterwards revived by that nobleman. Mr. Courtenay was defended by Mr. Windham and Mr. Burke, the latter of whom declared, that it was an accidental lapse of speech, and that no man could appear more hurt, as soon as he found

the construction which a part of the house had put upon it. The circumstance drew forth considerable encomiums upon Mr. Courtenay's general character from these speakers, and from Mr. Fox. Mr. Courtenay entered into a farther explanation upon the following day.

On the twenty-first of May Mr. Hastings was upon the motion of Mr. Burke taken into custody of the serjeant at arms, and, being immediately conducted to the bar of the house of lords, was delivered to the gentleman usher of the black rod. Upon the motion of the lord chancellor he was admitted to bail, himself in 20,000*l.* and two sureties, Mr. Sullivan and Mr. Sumner in 10,000*l.* each, and was ordered to deliver in an answer to the articles of impeachment in one month from that time, or upon the second day of the next session of parliament.

On the thirtieth of May the king put an end to the session by a speech from the throne. He applauded the alacrity of parliament, and thanked them for their proofs of affection for him, his family and government. He spoke of the general tranquillity of Europe, and lamented the dissensions which unhappily prevailed among the states of the United Provinces. He reflected with peculiar pleasure on the measures they had taken, with regard to the reduction of the national debt, the treaty of navigation and commerce with the most christian king, and the simplifying the accounts in the various branches of the revenue.

P R I N C I P A L
O C C U R R E N C E S

In the Year 1787.



PRINCIPAL OCCURRENCES

In the Year 1787.

JANUARY.

1. **T**homas Grenville, a blind man, has lately presented to the Society for the encouragement of arts, manufactures, and commerce, the description of an apparatus for enabling blind persons to perform operations in arithmetic with ease and celerity. It is an improvement of Saunderfon's Numerical Board; the board is perforated full of holes, in exact lines, horizontally and perpendicularly. The lines, considered horizontally, denote units, tens, hundreds, thousands, &c. reckoning from right to left, as usual. And the perpendicular lines permit the figures to be placed below each other, as is usual in every account. Pegs are made to fit these holes, on the head of each of which pegs is printed the figure (number) it represents, so as that, to a person who has the use of sight the account can be seen at once. The figures are distinguished by the blind person, by means of certain pins placed in the heads of these pegs. Between the rows of holes for these pegs are rows of smaller holes adapted to receive the bent ends of small wires, which perform the part of lines, placed either horizontally or perpendicularly, as is necessary for any arithmetical operation. The box is formed into proper divisions for holding the pegs and wires, and is doubtless a most useful apparatus for those to whom it was intended to

assist; for there can be no doubt but that any blind person, with a little attention, by means of this simple apparatus, may perform every arithmetical operation that could be performed by him, if he had the use of sight.

Florence, Dec. 16. The great duke of Tuscany has just issued a new code of criminal laws, which is ordered to be observed in all his dominions. It consists of 119 articles, by which capital punishments are abolished, as having been found to leave too slight an impression on the minds of the people for the prevention of crimes, and more visible and permanent sufferings ordained in their stead. Torture is prohibited. Confiscations are declared unjust, as involving the innocent with the guilty. Proportionable penalties are inflicted for slight offences, and a more equitable mode of trial is established, particularly with regard to evidence.

Soon after the publication of this new code, a man condemned to the gallies for a most inhuman murder, endeavoured to persuade the companion to whom he was chained, to escape with him; but, upon his refusal, he took an opportunity of picking up a large stone, with which, notwithstanding his chains, he massacred his companion, in the presence of the guard. So horrible a deed, under such circumstances, almost overcame the great duke's humane temper. He immediately ordered a gallows to be erected in the

most public part of Pifa; but his imperial highness countermanded the order for his execution, and the criminal was sentenced to a more excruciating and lasting punishment, that of being immured between four walls, where, almost unable to move, he must end his life in the utmost misery. As a more flagrant offence can scarcely be committed, punishments by death are not expected to be revived in this country.

Lond. Gaz.

2. Advices from Mentz, mention, that the prince elector has made a new criminal regulation respecting prisoners, in which, the chaining them down or using fetters is totally forbidden. His electoral highness has also regulated the culprits as to air, diet, and exercise; in which he has adopted the plan drawn up by Mr. Howard. All delinquents, by the above ordonnance, are to be tried within eight days after their commitment. See p. 14.

Edinburgh, Jan. 4. A few days ago arrived in this city from his Northern tour, the truly patriotic Mr. Knox.

The accounts he brings of the situation of the people in the Highlands are extremely distressing, some thousands of whom are quite impatient to quit their native country and embark for the deserts of North America. He represents some of the reasons of these poor people wanting to shift the scene to be, the almost general failure of their crops; the high duty on coals, in many parts, there being such a scarcity of wood or peat, that the people pare the surface of the earth for fuel, (which nature meant to produce the means of their subsistence), and the want of salt, a sad source of calamity to those unhappy people, as it renders their fisher's unprofitable, and their lives miserable; for, having nothing

to subsist on all the year but fish, fluxes and various other disorders carry off numbers.

On Saturday the 6th instant, between ten and eleven in the forenoon, a shock of an earthquake was felt in the parishes of Campsie and Strathblane, about ten miles north of Glasgow. At Woodhead, in Campsie, a burn on which there is a mill, became dry in several places for a short space. At Lettrick Green, in the parish of Strathblane, a gentleman who was in the fields, and who had resided many years in Jamaica, heard a rushing noise precede the shock, which he thought came in a direction from the south east. He likewise observed the hedges to be agitated, as if a sudden gust of wind had affected them, though it was then still. At Nethertown, in the same parish, the shock was more sensibly felt, and the people were so alarmed as to rush out to the fields, their houses shook so. Many other people felt the shock; and, in different houses, doors that had been locked were thrown open; china dishes and bottles jingled by striking against one another. The horses in a plough that was at work stood still with fear. The shock was likewise felt in the parishes of New Kilpatrick, Killearn, and Fintray.

13. Accounts from Williamsburgh, in Virginia, mention, that Mr. Maddison, a young member of the Assembly there, a short time ago had the spirit and humanity to propose a general emancipation of the negro slaves in that province, to commence at the beginning of this year. Mr. Jefferson's absence at Paris, and the situation of Mr. Whythee, as one of the judges of the state, which prevented them from lending their powerful support, occasioned it to miscarry for the

the moment, but there is every reason to suppose that the proposition will be successfully renewed: as it is, the assembly have passed a law, declaring that there shall be no more slaves in the republic, but those existing the first day of the session of 1785-6, and the descendants of female slaves.

14. The order of St. Patrick is in future, by an additional statute just made by order of his majesty, to consist of sixteen knights companions, besides such of the royal family as may be members thereof.

Dresden, Dec. 20. Losses by fire having been very frequent in this country, and the sufferers hitherto indemnified in part out of the public revenues, a new regulation is enacted, to take place from the 1st of January next, by which every proprietor of a house throughout this electorate is to enter it in a public register, at a valuation fixed by himself. The losses by fire are to be computed every six months, and an equivalent sum collected from the whole of the proprietors, in proportion to their property as registered, which is to be applied to the individual sufferers, according to the valuation contained in the register. This rule will naturally induce the proprietors to deliver in a fair valuation of their property.

Lond. Gaz.

Paris, Jan. 1. The experiment of the incombustible pasteboards was made the 4th ult. at Berlin, in the presence of duke Frederick of Brunswick, and several persons of distinction. The inventor of this composition is Dr. Arfurd, a native of Saxony. A small building, which had been constructed of wood for the purpose, was lined with this pasteboard, and filled with combustible matter. Notwithstanding a fire that burned most violently, the

house was not in the least damaged. This board resists likewise the dampness of the air. It is publicly sold for a shilling and a half, Swedish money, every square ell sheet.

Some blind children, educated and supported by a philanthropic society at Paris, have lately been presented to the king and queen at Versailles, and exhibited, in the royal presence great knowledge of several arts. Some of them discovered the greatest facility in the various branches of printing and book-binding, &c. others gave the most evident proofs of the success of their applications to geography, arithmetical, and mathematical calculations. Their majesties expressed the highest satisfaction at their efforts, and spoke in very high terms of commendation of the gentleman, who, by exemplary diligence and industry, has retrained so many members to society.

16. On the 14th of November, prince William Henry arrived at St. Vincent's in the *Pegasus*, and the next day was waited on by the council and assembly, who presented to him a congratulatory address on his arrival. His royal highness received them very graciously, and honoured them with his company to dinner at Carty's tavern. In the evening there was a ball, and a very numerous and splendid appearance of ladies, at which his royal highness danced two country dances.

Several Carib chiefs were introduced to the prince, who was pleased to make a present of a sword, and two muskets with the new invented spring bayonets, to the principal ones, and a sum of money to be distributed among the whole. The Caribs in return presented the prince with several bows and arrows, and other articles.

17. Two ships, having on board
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as many of those people as could be collected, sailed from Gravesend on Tuesday last, with a fair wind, for Sierra Leona, on the coast of Africa, where they are to be landed, in order to form the intended new settlement. [See Vol. VII. p. 50.]

18. At the close of the sessions at the Old Bailey, which began on the 10th instant, nineteen convicts received sentence of death. After which, Samuel Burt, convicted some months before of forgery, (See Vol. VII. p. 34) was put to the bar, and informed, that his majesty, in his royal clemency, had been graciously pleased to extend his mercy to him, upon condition that he should be transported during his natural life. The prisoner bowed respectfully to the court, and immediately addressed the recorder with his "most humble and unfeigned thanks for the kindness and humanity of the recorder, the sheriffs, and the other gentlemen who had interested themselves in his favour, and had so effectually represented his unhappy case to the throne, that his majesty, whose humanity could only be equalled by his love of virtue, had extended his mercy; but however flattering the prospect of preserving life might be to a man in a different situation; yet he, now that he was sunk and degraded in society, was totally insensible of the blessing. Life was no longer an object with him, as it was utterly impossible that he could be joined in union with the person that was dearer to him than life itself. Under such circumstances, although he was truly sensible of his majesty's goodness and clemency, yet he must positively decline the terms offered to him; preferring death to the prolongation of a life which could not be otherwise than truly miser-

able." The whole court was astonished at this address; and after consultation, Mr. Recorder remanded the prisoner back to the gaol, to be brought up again the first day of next session.

25. On Tuesday lord George Gordon appeared in the court of king's-bench, and stated to the judges, that he had received a summons from the solicitor of the treasury to appear personally in court, on Tuesday next after the octave of St. Hilary, to answer to an information to be exhibited against him on the king's behalf, for certain crimes and misdemeanours. His lordship said, that he had looked into the popish calendars, and those sort of books, to see what an octave meant; and that he found it was eight days from the celebration of the feast of the saint; that he had come himself, because he was desired personally to appear, and did not intend to be at any expence, or to employ any solicitor or counsel; his reason for which was, that one learned gentleman, who had formerly asserted his innocence, sir Lloyd Kenyon, was raised (he was glad to see it) to a very high situation; and of the assistance of the other (Mr. Erskine) he was deprived, he having been retained against him some time ago. The court informed lord George of the course he must pursue; namely, to plead in the crown office; and that then he would have regular notice to prepare for trial; upon which he retired.—The information was at the suit of the French ambassador, for a libellous publication against the court of France.

On Wednesday, at the rising of the court, lord George appeared within the bar, with Blackstone's Commentaries tied up in a handkerchief. He said, that the attorney-general

general had filed an information against him, which blended the distinct and different informations *Qui Tam* and by the master of the crown office, as the judges would perceive, by recurring to the doctrines contained in their good and worthy brother Blackstone. [Here the bar was seized with a muscular affection.] His lordship turned round, and told them, they were ignorant of this distinction, because it had originated in bad times; and that the only apology which could be made for the attorney general was, that he was equally incompetent on the subject. His lordship continued, that he did not chuse to join issue with the attorney general, until he had communed with the court, for that he was *bonus et legalis homo*, and entitled to all the privileges of other subjects, *notwithstanding he was ex-communicated*.—The court told him, that the first step was to appear. He replied that he had appeared yesterday. The court then begged his attention; and told him, that the appearance must be filed; that then he might either move to quash, or might demur to the information, if it were defective on the face of it; or he might plead to it, and so come to trial.

Vienna, Jan. 2. His Imperial majesty has forbidden to insert, in future, in any prayer or other church-books, the grant of indulgences applicable to the delivery of souls from purgatory. Other indulgences are not to be made public, without the grant of such pardons being previously approved by the bishop of the diocese, certifying that the papal brief, granting the same, hath been examined and acknowledged as legal.

Brussels, Jan. 20. The emperor has abolished the court dresses hitherto worn by the ladies of the

court; and also the custom of kissing the hands of the sovereign and the royal family, and all kinds of bending of the knee and kneeling down, his majesty looking upon the latter as only due to the Deity.

Paris, Jan. 25. The king has published a circular letter, addressed to such of his opulent subjects as profess themselves friends to their country and humanity, inviting them to contribute towards the expence of erecting four hospitals in the city of Paris. Such as subscribe 10,000 livres, will have their names engraved upon a brass plate, as a testimony to future generations that there were people of philanthropic minds, who delighted in establishing an asylum for the reception of the unfortunate. The sovereign, and his august family, propose to contribute liberally towards the four hospitals. There is doubtless great merit in imitating the conduct of the English, through whose patriotic subscriptions great numbers of useful and benevolent establishments have been formed in all parts of the country of that philosophic people.

27. Yesterday lord George Gordon appeared in the court of king's bench, and informed the court, that he had an objection to state to a process which had been served upon him. Mr. justice Buller informed him that he interrupted the business of the court. Lord George answered, he was counsel for himself, and was as much intitled to be heard as any king's counsel. Mr. justice Buller replied, that the attorney general could not be heard out of his turn. Upon this information lord George stepped within the bar, and took a seat between Mr. Bearcroft and Mr. Cooper. The court having heard the motions of the king's counsel, called on lord George, who arose and said, that

the nature of the business he had to state to their lordships would render an apology for the interruption he had given totally unnecessary. There was a *misnomer*, or at least, a want of proper addition to the name inserted in a process served upon him, of which he did not intend to take advantage, either by moving in abatement, or availing himself of a dilatory plea; for he wished to accelerate his trial, and prove his innocence as soon as possible. For this reason he came forward to correct the court, by pointing out the error in their process. This process was directed to "George Gordon," without any addition whatever, which was an error; the other names were properly described, the chief justice had his style of William earl Mansfield, and Richard Pepper Arden was denominated an esquire. He had as good a right to the additions to his name, as either of these, or even George Guelph himself. This process did not describe him; it ordered George Gordon to appear in court, but did not say, whether the George Gordon summoned was the right honourable lord George Gordon, George Gordon, knight, esquire, or yeoman. He knew four lord George Gordons,—which of them did this process mean? He knew above a hundred gentlemen of the same name, to which of them was this process directed? For these reasons he called upon the court to correct their process, which he knew was wrong, having as competent a knowledge in the business as any man in court. The court informed the noble lord, that in the present state of the business, the addition was unnecessary, but that in case of process of outlawry, then the additions would be essential to the proceeding. Lord George rose and said, that unless the court called

upon him by his right name and additions, he would not answer, and bowing respectfully to the bench and bar, retired.

29. On Tuesday last came on to trial in the court of exchequer, at Edinburgh, a prosecution of his majesty's advocate general, against a merchant in Leith, for attempting to give a bribe of £1. to Mr. Corbet, supervisor of excise, and port surveyor of Borrowstounness, with a view to seduce him from the proper execution of his duty, and to shew him favour at the expence of the revenue. The facts being clearly proved, and the intention equally evident, the jury found a verdict for the plaintiff on the second count of the information, for the penalty of £50.

30. At a court of aldermen thanks were voted to sir James Sanderson and Brook Watson, esq. late sheriffs, for the great regularity preserved in the gaols of the city, and for the return of prisoners presented to the court in October last. The court recommended it to the succeeding sheriffs to make out a like return at the expiration of each sheriffalty.

F E B R U A R Y.

1. Lord George Gordon made another appearance in the court of king's bench, and took the same exceptions to the second summons as he had to the first. He was interrupted by Mr. Baldwin, who submitted to the court, that his lordship ought first to *appear*, before he could be heard. Lord George desired he would *use his eyes, and judge whether he did not appear*. The court then told him, that formally, it was necessary that his appearance should be recorded; and his lordship saying, that he meant to meet
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the charge *regularly* and fairly, the master was ordered to record his appearance to the information.

The information was then read, charging him with inserting a libel in the Public Advertiser of the 22d and 24th of August, on the queen of France, respecting the affair of count Cagliostro, with which information his lordship was charged by the clerk of the crown, and on being asked whether he was guilty or not guilty, he attempted to show the court, that a *confession* ought not to be recorded, and produced some case of adultery. The attorney-general rose, and candidly submitted to the court, that as his lordship had *voluntarily* appeared, he was entitled to an imparlance to plead till next term, and his lordship making no objection to it, it was granted accordingly.

4. The rev. Dr. Prevost, of New York, and the rev. Dr. White, of Philadelphia, were consecrated bishops in the chapel of Lambeth-house, by the archbishop of Canterbury, assisted by the archbishop of York, and the bishops of Bath and Wells and of Peterborough. The new bishops were addressed by the style of bishop of New York, and bishop of Philadelphia; and having, with the rest of the company present, been elegantly entertained by his grace, took their leaves, in order the next day to proceed on their voyage to America.

Birmingham, Feb. 1. Saturday, at the conclusion of the play in the new theatre, at Stafford, a plunk, which supported the gallery gave way, and the whole, with a great crowd of people, came down upon those in the boxes. The shrieks from all sides of the house were in a few minutes redoubled by the cry of fire, and a dreadful scene of confusion ensued. The fire was soon

extinguished. The theatre being remarkably full, some time elapsed before the maimed and wounded could be taken out. Many were bruised slightly, some were shockingly hurt, and one person lost her life, viz. Mrs. Wise, wife of Mr. John Wise, late mayor of that borough.

3. There has been found in a Benedictine monastery lately suppressed by the emperor in Hungary, the amazing quantity of 95,000 tons of wine, and a chest containing a quantity of ingots and a number of diamonds. This will be à propos for the 927 new parishes lately erected, to whom this treasure is ordered to be distributed.

The celebrated Mr. Howard, during his stay at Vienna, had the honour of a very long interview with the emperor, in which he freely laid before his majesty the state of the prisons and hospitals in his dominions. He told the emperor, that he had found such alterations had taken place since his happy administration as did him great honour; but that there were yet some defects that wanted his further attention. His majesty was much satisfied with the ideas of this worthy friend to human nature: in short, it was difficult to say on which side philanthropy shone with most lustre. Those who speak truth merit praise; but a prince who will listen to it with acknowledgment, and who even seeks it, merits the love of all mankind.

6. The prince of Wales was initiated into the mysteries of Free Masonry, at the Star and Garter, Pall Mall. The duke of Cumberland as grand master, the duke of Norfolk, the duke of Manchester, and several other noblemen of that respectable order, assisted at the ceremony.

8. The

8. The contempt for which Mr. Bowes was committed to the king's bench was taken off, at the instance of Mr. Erskine. It had been previously argued before the master of the crown office, who reported that Mr. Bowes had not been guilty of the contempt, and he was accordingly ordered to be discharged.

13. Yesterday lord George appeared again in the court of king's bench, and addressed the judges, saying, he was harrassed with another vexatious writ of information and suggestion, exhibited against him by the attorney general, who had commanded him to appear in person before the judges, as he then did, to answer all the trespasses, &c. whereof he stood impeached. Lord George then stated to the judges that there was a misnomer also in this third writ. The first from the Octave of St. Hilary had misnamed him "George Gordon," without any additional titles; the second writ had misnamed him "George Gordon, esq." equally deficient; and the third for the Octave of the Purification of the Blessed Virgin Mary, on which he then attended, misnamed him "George Gordon, late of London, esq." He did not know what reasons could induce the court to sport in this manner with his lawful name and titles, which he had not assumed or taken up, but which had devolved to him on his birth, as hereditary right; however, he did not intend to go into the pleas on misnomers; here he was interrupted by a young counsellor behind the bar, on the part of the crown, (the attorney-general not attending,) who said the court ought to insist on his lordship's declaring whether he *appeared or not* before they listened to him. Lord George desired him to hold his tongue till it was his time to speak,

and not pretend to point out propriety to the judges, and interrupt their attention from what he was saying. The judges would stop him themselves, if he transgressed the bounds of the defendant. He was not going to put in any pleas of delay; he only spoke up for the honour and regularity of the proceeding of the king's bench, and wished nothing more than to bring the plaintiff to stand trial without any flaws or legal impediment. [Here the clerk read the information and suggestion, very long, of several counts relative to the expedition to Botany Bay]. Lord George Gordon was then asked by the clerk, if he was guilty or not guilty? but the court ordered this information also to be put off till next term.

17. The excellent Mr. Howard, who has just returned to his native country, has inserted the following letter in all the public prints: To the Subscribers for erecting a Statue, &c. to Mr. HOWARD.

"My Lords and Gentlemen,
"You are entitled to all the gratitude I can express for the testimony of approbation you have intended me, and I am truly sensible of the honour done me; but at the same time you must permit me to inform you, that I cannot, without violating all my feelings, consent to it, and that the execution of your design would be a cruel punishment to me. It is therefore my earnest request that those friends who wish my happiness and future comfort in life, would withdraw their names from the subscription, and that the execution of your design may be laid aside for ever.

"I shall always think the reforms now going on in several of the gaols of this kingdom, and which I hope will become general, the

the greatest honour and the most ample reward I can possibly receive.

"I must further inform you, that I cannot permit the fund, which in my absence, and without my consent, hath been called the Howardian fund, to go in future by that name; and that I will have no concern in the disposal of the money subscribed; my situation, and various pursuits rendering it impossible for me to pay any attention to such a general plan, which can only be carried into due effect in particular districts, by a constant attention and a constant residence.

I am,

My Lords and Gentlemen,
Your obliged and faithful humble servant,

London, Feb. 16. JOHN HOWARD."

27. An important question of marriage, on an appeal from the court of session in Scotland, was determined on Wednesday in the house of lords.

Mr. Robertson, a merchant, who was the appellant, had paid his addresses, in 1769, to Helen Inglis, the respondent, a chambermaid. Miss Inglis says, that Mr. Robertson declared his passion in the most tender and respectful terms, assuring her that he was utterly indifferent to the inequality of their condition, or the estimation of the world; that his warmest desire was to have her for his wife, but that it would be necessary for some time to ~~dissemble their inclination~~, lest it should give offence to his father and mother, with whom he then lived. On this the lady candidly acknowledged that she then yielded, and they became husband and wife by mutual declarations of consent, without any ceremony. Mr. Robertson took Miss Inglis from her service, and put her under the care of a go-

verness, that she might be better qualified to be his companion. He built a house for her, and provided her with furniture, clothes, and all the paraphernalia of a married lady, and behaved to her with the most singular attention and tenderness, writing letters to her in the most affectionate terms, styling her his dearest wife, and subscribing himself her loving husband. They continued in this amicable footing till 1783, when Mr. Robertson formed a design of marrying a Miss Brown, which they solemnized by a process of matrimony peculiar to Scotland, namely, by going to bed together, and taking a protest in the hands of a public notary, that they were married persons.—On this Miss Inglis commenced her suit against Mr. Robertson, in which she insists against him for declaration of marriage and adherence, and produced many letters from him, wherein he subscribes himself her loving husband. To this Mr. Robertson pleaded, that none of the letters contained any acknowledgment of a past marriage, and that they were constantly addressed to the respondent by her maiden name. That when these letters were written he was very young, and had but recently returned from Holland, where he had been educated, and where proclamation of banns is essential to marriage, and where of course concubinage is covered with the decent name of husband and wife.—That he used those appellations as mere terms of blandishment—as the whispers of a lover in his mistress's chamber—the only object of them was to appoint meetings, and that they were wholly inadequate to establish the important relation of husband and wife. The court in Scotland, however, found the marriage with Miss

Inglis

Inglis established, which the decision of the house of lords has confirmed.

M A R C H.

2. The sessions ended at the Old Bailey, when twenty-six prisoners received sentence of death. Among these was Elizabeth Sedgwick, convicted of setting fire to two barns and one stable, belonging to her master, Mr. John Taylor, at Feltham Hill, Middlesex. On her trial, it appeared, that on Sunday the 10th of December, about half past four, the straw-barn near the house was discovered to be on fire. The notice was first given by the prisoner, who had just returned into the house, by her remarking, that there was a man with a candle and lanthorn in the yard. The prosecutor going to the window, discovered a great light, and running down stairs found the barn on fire. It was extinguished, however, by the assistance of his neighbours, but not until the barn, with its contents, had been entirely destroyed. On the following Sunday, about the same hour, as Mr. Taylor and his wife were sitting at tea, they observed a great light before the house; and it was found that another barn was on fire; and before this second fire was extinguished, the barn, with its out-houses, a stable, with six horses, and his farming utensils, were destroyed, and the dwelling house with difficulty saved.

An indictment was preferred against a man in the neighbourhood, of the name of Hankin, merely on account of some unguarded expressions; but no circumstances of proof being adduced, the grand jury *ignored* the bill. The prisoner at length became an object of suspicion, principally on account of her

being seen to wear a cloak, handkerchief, &c. which she had declared to have been lost in the fire. She was taken, before Mr. Taylor, on Sunday, January the 14th, when she lodged examinations against Winden and Goring, as perpetrators of the fact; but on her re-examination, she retracted this declaration, which appeared to have been made on account of a previous quarrel with the former.

The examinations which contained her confessions being read in court, it appeared from them, that the first fire was merely accidental; as she had then gone into the barn to examine the hens, and that, on reaching to the beams on which they roosted, she had fallen on the straw, and as she thought put out the candle, and discovering the flames, on her return to the house, had invented an excuse, by pretending to see a man in the yard with a lanthorn.

But the remaining part of her confession was perhaps the most extraordinary that ever marked the waywardness of the human mind. She said, that on Sunday, the 17th of January, the day of the second fire, as she was making the toast for tea, the thought struck her that she would go out, and set the other barn on fire; and that, when her business was done, she had taken out a candle and candlestick, and placed them in such a situation as to effect her strange purpose in a few minutes.

She declared that she did this without any motive whatsoever, and no motive could in fact be assigned but that of absolute *insanity*, or inveterate *resentment*; but, on a strict examination of the evidence, it appeared, that she had never given the smallest occasion to doubt the sanity of her intellects, and that, for

far was she from being displeased with her master or mistress, that she always spoke of them in terms of the highest praise.

At this sessions, Samuel Burt, a capital convict, to whom his majesty had been pleased to grant a pardon, on condition of transportation for life to New South Wales, which at the last sessions he refused, was set to the bar, and the pardon again read to him. He made a very modest and sensible apology for having contemned his majesty's great goodness to him, he then desiring to die; but now he most thankfully embraced the same, only wishing to be united to a beloved object, in despair for whom he had committed the fact which brought on all his troubles.

[*The young woman alluded to here humbly consented to marry this unhappy man; but she died before the marriage could take effect.*] See p. 6.

5. Among the societies on the continent little known, but of increasing reputation, is the Oeconomical Society at Madrid. The Spanish nation is emerging from its indolence: they are becoming good chemists, good philosophers, good physicians, and good patriots. This truly patriotic institution proposes for the first distribution of the prizes in 1787, on the day of St. Isidore, to reward with a prize of 2,250 rials (a rial at Madrid is equal in value to about 6d.), the best memoir on the following question: "What is the true spirit of a legislation favourable to agriculture, industry, arts, and the commerce of a great kingdom." The author is expected to apply his opinion to the different climates, productions, and the manners of their inhabitants. Foreigners are admitted among the candidates; and dissertations may be

written either in Spanish, French, English, Portuguese, or Latin.

6. Advices are received at the India-House, of the safe arrival of earl Cornwallis at Calcutta, on the 12th of September. (*See Vol. VII. p. 16.*) He was received with the strongest marks of regard by all ranks, both natives and Europeans.

These advices likewise brought the following account of the loss of the Severn packet. This ship proceeded on her voyage on Friday the 1st of September, and on Saturday the 9th, had got a little below Ingelee, when it fell calm: upon this, the current being very strong, the small bower-anchor was let go, in four fathom water; but she parted her cable almost immediately; the best bower-anchor was then let go, which she likewise parted: the sheet-anchor was next let go, in two fathom water: however, by this time, they found she was on a sand-bank; they had hopes, notwithstanding, that the return of tide would carry her off, on which account no body attempted to get on shore, which they could then have easily effected. When the tide returned, there was a very heavy swell, and much wind, which rendered ineffectual all their endeavours to get her clear off the bank. She lay in this situation from twelve o'clock, A. M. till about six in the evening, when the strength of the tide threw her on her broadside, in which state she lay about an hour and a half, when she split. Before she went to pieces, the long-boat was hoisted out, and Mrs. Moore, Mrs. Lacey, and the other passengers got into it; but by the confusion that ensued, in numbers endeavouring to leap into the boat, she was sunk along-side.

The following is a list of the officers and passengers lost: captain Kidd,

Kidd; Mr. Schobie, chief officer; Mrs. Moore, Mrs. Lacey, major Adderley, ensign fir Richard Cox, Mr. Ryon, Mr. Dunn, and Mr. Friend, one of the company's pilots. There were about fifty-five people on board, only fourteen of whom are saved.

Vienna, Feb. 14. Joseph de Pfeilheim died the 30th of last month at Clagenfurt. He was distinguished through life for his humanity to the poor, for whose relief he appropriated, during the last ten years, the interest of 50,000 florins.

John Pengs, a farmer, died lately at a village near Piritz, in Pomerania. He was borne to his grave on sheaves of corn, according to his own desire; and a spade, ploughshare, and hedging-bill, were placed on his coffin. He had cultivated upwards of two thousand acres of land. He had had twenty-five children, and such as lived he taught to be as industrious as himself. He possessed a chearful disposition, the happy effect of a peaceful mind; and his memory was the faithful depository of remarks, shrewd, sensible, and ingenious, which he had made during a long course of years.

Vienna, Feb. 17. The new criminal code inflicts upon offenders only one mode of death, which is hanging. Treason and rebellion will be punished with the confiscation of effects, and perpetual imprisonment, and in some cases with death. Fetters and perpetual imprisonment will be the punishment of such as kill others in duels. Blasphemers will be confined in the hospital for the reception of lunatics. The other punishments denounced, are those of being fettered and labouring at the public works, whipping, being exposed on the pillory, branded, &c. See p. 3.

Naples, Feb. 9. Yesterday, at a

concert before the royal family, the celebrated D. Saveria Savilla, well known for his wonderful vocal powers, being in the act of singing a most charming air, which was honoured with profound attention, expired instantaneously without a groan, in one of the most exquisitely beautiful passages of the song.

Rome, Feb. 10. The pope has ordered the suppression of a convent of Clairists, two of Benedictines, and six Brotherhoods: the effects of those houses are to be applied to useful foundations, and among the rest to the establishment of an hospital for the reception of poor girls, who will be taught some business, whereby they may get a living, and when they quit the house to marry, will have a portion of forty crowns. The above suppressions were ordered in the town of Gubbio, which contains only 5000 inhabitants, and in which there were 22 convents.

21. The Academy of Sciences at Lyons proposed, in 1785, for the duc de Villeroy's medal, the following question—"Whether the experiments on which sir Isaac Newton established his theory of the different refrangibility of the rays of light are decisive or illusory?"—Eight different dissertations on this subject were admitted, four of which attacked the great Newton, and four defended him. Two of each of these productions were much inferior to the rest, so that the contest lay between the other four. The medal was finally adjudged to that which bore this motto, *Simplicitas experientiiis vigorque demonstratione*; and the *Accessit* (admission) to the paper with the following—*Tantum novimus, quantum experiendo didicimus*; both in support of our immortal countryman.

22. In some late accounts from Madrid,

Madrid, it is said, that two Syriac priests are arrived in that capital, and have given such satisfactory proofs of their knowledge in the Eastern languages, that his Catholic majesty has charged them with the translation of the manuscripts in those languages which make part of the king's library at the palace of the Escorial. This news must be interesting to the learned, to whom little more is known, but that in the cruises of don Lewis, in 1611, he fell in with two vessels near the port of Salee, of which he made himself master: and that among the riches they contained, were found a collection of upwards of three thousand volumes, treating of physic, philosophy, and matters of religion, &c. The emperor of Morocco offered 450,000*l.* to have them restored; but Philip king of Spain would never consent to it.

Dominica, Dec. 30. On the 11th instant arrived here the Pegasus, prince William Henry, commander. He was accompanied by the Amstition and Solebay of 32 guns each, and the Rattler sloop of 18 guns. He was received by the governor, the legislature, and the officers of the 30th regiment, who paid him the highest honours. A very elegant supper and ball was given to the royal highness. He was also handsomely entertained by the officers of the garrison. The assembly and merchants presented addresses, which the prince gave very polite answers, assuring them, that in case of future wars, as well from the fear of remembrance of their civilities, he would pay particular attention to the island of Dominica. Two French sloops are just arrived with the congratulations of the Count de Damas, governor of Martinico, and of the baron de

Clugny, governor of Guadalupe, on his royal highness's arrival in the West Indies, and a request that he would favour these islands with a visit.

A P R I L.

2. On Friday the claims of the inhabitants of St. Eustatius were finally argued before the privy council; when it was decreed, that lord Rodney and general Vaughan are to refund the money to the said claimants. See *Vol. VII. p. 29.*

4. On Thursday was tried at Kingston in Surry, before Mr. justice Gould and a special jury, a cause of importance to the public, wherein Robert Taylor, assignee of William Taylor, a bankrupt, was plaintiff; and Theodore Henry Broadhead, esq. late sheriff of Surry, was defendant. The case was, that in Easter Term, 1786, Messrs. James, wine merchants, of Breadstreet, obtained judgment in a cause against the said bankrupt, and sued out execution thereon, and took his stock in trade and effects in execution; that three or four days after, a commission of bankruptcy was taken out by the said Robert Taylor, against the said bankrupt, and thereupon the plaintiff claimed the said goods back, as being the bankrupt's property; when, after a long trial, it came out in evidence, that the commission of bankruptcy was concerted and taken out for the express purpose of defeating messrs. James from receiving their just demand; and therefore the jury found a verdict for the defendant, to the satisfaction of the whole court, by which decision messrs. James receive the full benefit of the said execution, and the commission of bankruptcy falls to the ground.

9. The first stone of a new church

church at Wimbledon, in Surry, was laid by the rev. Mr. Randal. Benjamin Bond Hopkins, esq. and many other respectable inhabitants attended at the ceremony. The contributions have been very handsome—amongst the largest of which stands the name of Mr. Levi, the Jew, who, much to his honour, forgetting the distinctions of religion, contributed one hundred pounds to the building of a Christian church.

Jersey, March 19. Yesterday I took a ride to St. Owen's Bay, to see some trees which have lately been discovered within high-water mark, with every appearance of a fallen forest. They cover at present upwards of three square acres of ground, but seem to extend beyond all human reach into the sea. Many of these trees are entire, and measure upwards of forty feet long, and it is evident they have grown on the spot, as their roots and earth still adhere. But what renders this discovery still more wonderful is, that, for many miles round this bay, it is a barren sandy desert, and not a shrub to be seen on it.

Bath, April 11. Yesterday John Twycrofs and Richard Wetenall, were convicted before the mayor on several counts, of keeping a faro and other gambling tables, and sentenced to pay, Twycrofs four hundred, and Wetenall fourteen hundred pounds; with a hearty wish expressed by the worthy magistrate, that the law could be more weightily enforced against these atrocious offences.

Caen, March 30. Two officers, of equal rank, belonging to a regiment quartered here, having unhappily quarrelled, one in his rage struck the other; the blow was returned, and the combatants parted.

They immediately retired without the town, each armed with a

small sword, and accompanied by a second. In a few minutes they were both severely wounded, but neither mortally, though disabled from fighting with swords, and in this condition were carried to quarters.

The circumstance of a blow was considered in so serious a light, that the colonel convened the corps, and the result of their deliberation was, that one of the officers must die!

This resolution was communicated to the combatants, accompanied by an information, that the corps expected that they would again go out, and determine the affair with pistols. They accordingly took the field, each being borne in a chair, and ten officers of the army attending.

The first shot was fired by the officer who received the blow, and the ball lodged in the aggressor's body; he however returned the fire, but missed his antagonist—the third shot took place in his breast, and he sunk, but not lifeless, though unable to hold a pistol.

They were again removed to quarters; the corps again met, and resolved, that, if both the combatants recovered, they should again take the field: the aggressor however died, and was buried with military honours.

A few days after his death, the brother of the survivor arrived at Caen from Bourdeaux—an express had been sent to him, and he came for the purpose of revenging his brother's honour and death, in case his opponent had survived.

10. A letter from on board the Lord Hyde packet-boat, arrived at Falmouth from New York, says, that the day before they sailed the General Washington, carrying twenty guns, arrived there from Madeira, laden with wines, and brought

brought in with them an Algerine corsair which they had taken after an engagement of an hour and an half. Captain Henderson of the *Washington*, says, he had no irons of his own to put on the prisoners; but he found plenty on board the corsair, which he made use of; as they began to be very outrageous. They intended to send the prisoners to the dey to exchange some Americans for them, and if that were refused, that they then should be made slaves of, and treated in the same manner as the Algerines treat their prisoners.

12. On Monday morning, the 9th instant, the town of Campden, in Gloucestershire, was alarmed by a violent shock, which was at first thought to be an earthquake, but which afterwards appeared to arise from an explosion of gunpowder at a house in that town, where a person had designedly, in consequence of a disagreement between himself and one of his family, set fire to a quantity of gunpowder in the garret of his son's house, which destroyed every thing in the house, leaving it a mere shell. The misguided perpetrator was blown above one hundred yards, but no person was killed except himself.

13. The parliament of Paris entered on their Journals, on the 31st of March, the letters patent which abolish the *Droit d'Aubaine*; and by which all English subjects dying in France are to be considered as natural born subjects.

Bath, April 16. A few weeks ago nine or ten large trees on the Entry-Hill road side, about a mile on the south side of this city, suddenly slipped from their situation for the space of fifty yards into the adjoining field, carrying with them an immense weight of earth; and, notwithstanding this extraordi-

nary march, they continue their erect posture, and are now breaking into leaf: it is become the fashionable walk to observe this new and surprising scene.

Calcutta, Oct. 12. The following melancholy accident shows that a tiger is not always deterred from approaching fire. A small vessel from Ganjam to this port being longer on her passage than was expected, ran out of provisions and water: being near the Saugar Islands, the Europeans, six in number, went on shore in search of refreshments, there being some coconuts on the island, in quest of which they strayed a considerable way inland. Night coming on, and the vessel being at a distance, it was thought more safe to take up their night's lodging in the ruins of an old pagoda, than to return to the vessel. A large fire was lighted, and an agreement made, that two of the number should keep watch by turns to alarm the rest in case of danger. It fell to the lot of one Dawson, late a silversmith in this town, to be one of the watch. In the night, a tiger darted over the fire upon this unfortunate young man, and in springing off with him, struck its head against the side of the pagoda, which made it and its prey rebound upon the fire, on which they rolled over one another once or twice before he was carried off. In the morning the thigh bone and legs of the unfortunate victim were found at some distance, the former stripped of its flesh, and the latter shockingly mangled.

20. The first regulated dramatic performance of nobility, and persons of distinction, took place at Richmond-house, with the Comedy of *The Way to Keep Him*.

The following were the Dramatis Personæ:

(B)

Love-

Lovemore, Lord Derby.
Sir Brilliant Fashion, Hon. Mr.

Edgecombe.

Sir Bashful Constant, Major Arabin.
William, Sir Harry Eng-

glefield.

Sideboard, Mr. Campbell.
Widow Belmour, Hon. Mrs. Ho-

bart.

Mrs. Lovemore, Hon. Mrs. Da-

mer.

Lady Constant, Miss Camp-

bell.

Muslin, Mrs. Bruce.

[*This new species of polite entertainment was frequently repeated in the sequel; tickets of admission being distributed among the nobility and persons of distinction only. The duke of Richmond, who, on these occasions, acted himself as master of the ceremonies, was more than once honoured with the presence and approbation of their majesties, and the royal family.*]

25. The corps of engineers is in future, by his majesty's orders, to take the name of "The Corps of Royal Engineers, and to rank with the royal regiment of artillery. *Gaz.*

Lord George Gordon appeared in the court of king's bench; and, being called upon to plead to the several informations exhibited against him, he desired to plead to them separately; but this requisition being refused, he pleaded "not guilty" to them all. His lordship was attended by a corporal of the guards, who carried his books and papers.

26. Lord George Gordon again appeared in court. He went up to the master of the crown-office, and the secondary, and told them, that the court had been wrong in pressing him to plead, the day before, to two informations, as Mr. Jones, of the crown-office, had only served him with one; however, he would

speak to the judges at the proper time: and when the other causes were over, and the court rising, he addressed the judges, saying, that yesterday he would not contend with their lordships, as to the propriety of pleading guilty to two informations at once, though he had only been served with one, because the court were his friends; and a grenadier having carried his bag, gave occasion to one of the counsellors privately to ask him; "if he came to besiege them?" That day he had brought the bag himself, and requested the court to inform him, if he might subpoena one witness, and obtain the authority of the court to recover a letter relating to the first information, as the nicest delicacy ought to be attended to, great personages only being involved in the cause between the court of France, St. James's, and himself.

The court informed his lordship, that the trial being now at issue, the delicacy was out of the question; and that he might apply to their proper officers for whatever subpoenas and papers were necessary for his defence. His lordship bowed with gratitude and submission to the judges; and the court rose.

Lord George Gordon went to Mrs. Fitzherbert's immediately after the court of king's bench rose, and left a message that she would be subpoenaed to appear in the king's bench, in the prosecution against him by the courts of France and London, and entreated she might not be the least alarmed on the subpoena being served upon her.

27. Yesterday fifteen malefactors were executed before Newgate; among whom was Elizabeth Sedgewick, the incendiary. *See p. 12.*

30. Lord George Gordon appeared in court, with Mr. Wilkins the printer, who published the papers

pers charged upon his lordship as libellous. The information being read, he pleaded Not Guilty. Lord George took his seat among the king's counsel, and when the ordinary business of the court was concluded, arose, and addressed the bench. His lordship said, he came for information; that he found by the books, that in all cases where informations were brought on the part of the crown, the officers of the crown only could proceed, whereas, in this case, not one king's counsel appeared; he therefore, desired to know, if Messrs. Baldwin and Law, who had moved against him, were crown officers; or whether, in case they were not, they could act by delegation from the attorney general? Mr. justice Buller answered, they certainly could. Lord George then informed the court, that as a personal enmity was harboured against him by the sheriff, who, he understood, was to strike the pannel of the jury by which he was to be tried, he hoped the court would order the pannel to be struck by some other officer of the court. Mr. justice Buller said, his lordship was irregular; that if he had any challenges to make, he might make them on the trial. Lord George answered, that if the sheriff struck the jury, he should certainly challenge the array; but his wish was to come to trial upon such fair grounds, as not to offend the jury by challenges. Mr. justice Buller replied, that, if his lordship had any objection to the sheriff, he must state it by affidavit. Lord George rebutted, that, if called upon, he was ready to state his objections upon oath. Mr. justice Buller sur-rebutted, that the jury was to be special, of course the sheriff could not act partially, as he must give in a list of the freeholders at large,

from which forty-eight being taken, each party had a right to strike out twelve. Lord George made his bow, and retired.

Mr. Wilkins being called to plead to the information of the attorney-general against him, for printing the petition of the prisoners to his lordship to prevent their banishment to Botany Bay, pleaded not guilty.

M A Y. /

4. Lord George Gordon caused a letter to be delivered to Mr. Pitt, before he went to the house, acquainting him, that he had received a visit from Mr. Walter Smyth, brother to Mrs. Fitzherbert, accompanied by Mr. Aston, threatening to call him to account if he went to Mrs. Fitzherbert's again, or took liberties with her name; to this, he made answer, that he must yet apply to Mrs. Fitzherbert, to himself, or to sir Carnaby Haggerstone, till a written answer was sent concerning the just title of their sister, just as if he had not called upon him. He concludes, "I think it my duty to inform you, as prime minister, with this circumstance, that you may be apprized of, and communicate to the house of commons, the overbearing disposition of the papists. I have the honour to be.

G. Gordon."

9. Lord George Gordon appeared in the court of king's bench as counsel for himself, and exhibited articles of the peace against Mr. Smyth, Mr. Aston, and sir Charles Bampfylde, bart. but the first name of Mr. Aston being omitted, he was told by the judges, that the court could not proceed against *him* that day; but ordered the crown officers to issue attachments immediately against the other gentlemen.

The judges indulged lord George
(B 2) Gor-

Gordon in swearing in the antient manner, by holding up his right arm, instead of laying his hand upon the Evangelists, or kissing them, which his lordship refused to do.

Yesterday, five journeymen bookbinders received judgment in the court of king's bench, for a conspiracy against their masters, in demanding an abridgment of their hours of labour, and leaving their work when refused. Their sentence was, two years imprisonment in Newgate. Twenty-four were concerned in the conspiracy.

Salisbury, May 7. Wednesday passed through this city, in their road home from Southampton, where they had been dipped in seawater, as a preventative from the dreadful effects of the bite of a mad dog, a countryman, his wife, and child, six sheep dogs, sixteen pigs, and eighteen cows and calves.

11. A ship of war is now fitting out for the purpose of being sent to Otaheite, in order to convey plants of the bread fruit-tree to the West-India islands. It is to contain a complete apparatus of a hot-house, and a botanist and gardener is to accompany the expedition. This benevolent plan is projected by sir Joseph Banks, and patronised by his majesty.

13. Sailed the *Sirius* of 24 guns, commodore Philips, captain Hunter, the *Supply* armed brig; the *Charlotte*, Gilbert; *Friendship*, Walton; *Alexander*, Sinclair; *Lady Penrhyn*, Sier; *Prince of Wales*, Mason; *Scarborough*, Marshall; *Fishborn*, Brown; *Golden Grove*, Sharpe; and *Borrowdale*, Reed, transports and convict ships, for Botany Bay. The *Hyæna* frigate, captain Courcy, sailed with the above, and is to accompany them 100 leagues.

14. Several of the animals bitten

by a mad dog, as mentioned last week, have been seized with the hydrophobia, and of necessity killed; a convincing proof that dipping in salt water is no specific for that horrid malady.

A brace of old woodcocks and five young ones were flushed on Tuesday May 1, in the west end of Grovely, by Mr. Edmund Street, of Dinton. He caught one of the young birds, and has exhibited it to the neighbourhood.

15. The attorney general of Ireland having lately brought a bill into the house of commons of that kingdom, respecting an outrage against the infant son of the late lord Gormanstown, gave the following account of the transaction in question: "The young nobleman had been clandestinely carried away in December last. He was hurried through England with the greatest precipitation, attended by a popish priest, and a military officer in the Austrian service. From thence he was conveyed to France, and there for some time buried in a convent. From thence he was conveyed to the principality of Liege, where he is now closely kept, under the care of an old grandmother and an uncle. This uncle, it should be remarked, as a matter of great consequence, was next heir in remainder to the family estate, which is very considerable, being estimated at five or six thousand a year. It was for the purpose of being educated in the popish religion, that the minor had been thus illegally forced over seas to a foreign country. Every necessary measure had been taken to recover him that the laws warranted. An order from the court of chancery had been formally issued, under the broad seal of Ireland, demanding of the uncle forthwith to restore the minor lord.

lord. This uncle styled himself ecclesiastical counsellor to the prince of Liege, and instead of surrendering the child, issued a manifesto in answer to the order of chancery, couched in the most insolent language he had ever heard or seen. The manifesto set out in the following manner :

" I Jericho Preston, ecclesiastical counsellor and privy counsellor to his highness the prince of Liege, &c. having been served with a *scrap of parchment*, with a *bit of wax* annexed to it—and being informed that the said *scrap* of parchment was an order of the court of chancery of Ireland, and that the said bit of wax was the broad seal of the kingdom of Ireland; and having questioned the messenger whether he meant to subject me to a foreign jurisdiction, &c.? I do therefore protest against the authority or force of the said *scrap* of parchment and bit of wax."

Now, if those persons should think proper rather to destroy the child, than suffer him to be brought up in the principles of the British constitution, and in the protestant religion (he did not imagine there was any such intention, but there was a *possibility* of it), the uncle, as next heir in remainder, would come in for the estate. It would be necessary therefore, to pass an act, disqualifying him from inheriting the estate in remainder; for persons who commit outrages, and set the laws at defiance, should never be suffered for a moment to enjoy their protection.

York, May 15. A few weeks ago, on a cold rainy day, one of Mr. Foljambe's servants informed his master, that a poor man lay dead upon the road near the house. Mr. Foljambe immediately ordered the man to be brought in, had his

clothes stripped off before the fire, and assisted in rubbing his body with warm cloths. Every method recommended for restoring suspended animation was persevered in for some time; when, to crown this act of humanity, returning life at length began to appear; cordials were administered, and the poor man recovered; dry warm clothes were put upon, and every refreshment necessary was given to him.—He said he was a native of Halifax, in Nova Scotia, and was travelling towards Liverpool, in order to get a passage to his native place, but was so reduced in circumstances that he did not eat, except a small bit of gingerbread, for two days, nor had he the means of procuring any thing, not having a halfpenny in his pocket when found.—Those who may think Mr. Foljambe's care of the man ended here, know him not; a taylor was sent for, and ordered to make him a new suit of clothes; he was properly equipped from head to foot, and after staying at Aldwark about three weeks, till his health and strength were recruited, was sent away with money sufficient in his pocket, not only to carry him to Liverpool, but to his place of nativity.

21. Mr. Burke, attended by many members of the house of commons, appeared at the bar of the house of lords, on Thursday the 10th instant, and thus addressed the lord chancellor :

" My lord,

" I am commanded by the house of commons, in their name, and that of all the commons of Great Britain, to impeach Warren Hastings, esq. late governor-general of Bengal, of high crimes and misdemeanors; and to assure their lordships, that the commons will, with all convenient speed, exhibit articles

against him, and make good the same."

On Monday the 14th, Mr. Burke brought up the articles of impeachment, which were ordered to be taken into consideration on a subsequent day.

And this day he brought up another article of impeachment. At the same time, he informed the lord chancellor, that "Mr. Hastings is now in custody of the serjeant at arms, ready to be delivered at the bar of this house."

The lord chancellor read the message to the house; after which it was read by the clerk. At this moment the house was very full, and in the most profound and awful silence.

Lord Walsingham then stated the nature and importance of the cause; and traced the history of the several impeachments for misdemeanors, which were upon the Journals, and the several securities which they gave to the house, for their appearance. His lordship then moved,

First, "That Warren Hastings be taken into the custody of the gentlemen usher of the black rod."

Secondly, "That he be brought to the bar, and admitted to bail, himself in ten thousand pounds, and two securities, in five thousand pounds each."

The first motion was put and carried; and black rod having received the proper orders, repaired to the house of commons, and took Mr. Hastings into custody. He was conducted to the lobby; when black rod informed the house, that "in obedience to their lordships commands, he had taken Mr. Hastings into custody, and was ready to deliver him at the bar."—Upon which he was ordered to be brought to the bar.

The house was now seated in the

form of two ranks: the lord chancellor on the woolsack; a great number of the commons behind, and on each side of the throne, and the bar crowded with gentlemen, forming a most interesting scene.

BLACK ROD,

MR. HASTINGS.

The Serjeant at Arms, and Attendants

entered the house, and after the proper obeisances, the prisoner was placed at the bar, when he dropped on his knee. Being permitted to rise, the lord chancellor said, "Read the articles of impeachment."

After the clerk had read the title of the general charge, black rod, by desire of Mr. Hastings, desired that the articles might be *read short*.

The duke of Richmond said, he could not, upon such a solemn occasion, consent to the application. His grace was hitherto utterly unacquainted with the nature and extent of the charges; therefore he felt it his duty to hear them read with the attention they deserved.

The lord chancellor agreed in opinion, and the articles were ordered to be read at length.

At half after seven the clerk began reading and continued until ten, at which time the sixth charge was finished; when

Lord Townshend rose, and moved, that the two remaining charges might be read short, in order to ease the house, and the prisoner, from the excessive fatigue of reading them at length,

The duke of Richmond opposed the motion. A conversation took place, at the close of which it was agreed to go on, and Mr. Hastings was allowed a chair. At eleven the articles were finished, and the lord chancellor demanded of him what he had to say in his defence.

Mr. Hastings answered, "My lords,

lords, I rely upon the justice of this house, and pray that I may be granted a copy of the charge, with a reasonable time to make my defence. Likewise that I may be allowed counsel; and, that I may be admitted to bail." Black rod then withdrew with his prisoner.

Lord Walsingham again arose, and moved, That Mr. Hastings might be admitted to bail in the sum before mentioned.

The duke of Norfolk said, after hearing the articles read, and the exceeding enormity of them, he could by no means agree to take such slender bail. His grace apprehended the least sum which could be demanded in the present case should be fifty thousand pounds, he therefore moved an amendment, that Mr. Hastings should give bail for twenty-five thousand pounds, and two sureties in the like sum.

Lord Townshend said, the honour of the nation was intimately connected with the present prosecution. The charges against Mr. Hastings were of a very heavy nature, beyond any thing that the Journals could produce. He therefore seconded the noble duke's motion.

Lord Hopetoun and lord Walsingham apprehended the security first proposed was quite sufficient.

Lord Thurlow quoted the case of sir John Bennet, who gave bail in the sum of forty thousand pounds upon an impeachment of a similar nature. His lordship was against requiring excessive bail; it being equally oppressive and illegal.

The original motion was withdrawn, and the sum of forty thousand pounds was agreed upon by the house as sufficient bail.

A conversation then took place, respecting the time to be allowed the prisoner to put in his answer.

The lord chancellor observed,

that it would be impossible to be done in the course of the present session. He was therefore of opinion to allow him a long month; namely, until the second day of the next session of parliament.

Mr. Hastings was again called to the bar, when the lord chancellor said—"The house has taken your prayer into consideration, and you are to be allowed a copy of the charge against you. You are to have counsel assigned you. Name them." [Mr. Hastings named Mr. Plomer, Mr. Law, and Mr. Dallas. The chancellor put the question, and these three gentlemen were assigned as counsel.] "You are likewise allowed a month to the second day of next session of parliament, to deliver in your defence at the bar of this house. You are likewise to be admitted to bail, yourself in twenty thousand pounds, and two sureties in ten thousand pounds each. Have you any bail?" Mr. Hastings—"My lord, they are now at the bar."

Chancellor.—Name them.

"George Sumner, esq.

"Richard Jos. Sullivan, esq.

The house agreed to accept the bail; and they accordingly justified at the bar; and entered into a recognizance for Mr. Hastings' appearance.

Lord Chancellor.—"Mr. Hastings, you may withdraw."

23. The great cause between commodore Johnstone and captain Sutton, was finally determined in the house of lords, in favour of the former. See Vol. V. p. 100, Vol. VI. p. 39, and Vol. VII. p. 46.

Bristol, May 26. Some workmen digging lately for making a canal near Coalbrook-dale, discovered a thick glutinous substance issuing from the fissure of a rock, which, on examination, proved to be a mineral tar, which appears to

have all the properties of the common tar. We hear several hundred barrels of it are already collected, the quantity that issues daily being very considerable.

28. Saturday morning, at ten o'clock, their majesties went to see Mr. Whitbread's brewery in Chiswell-street, which was rendered as convenient as possible on the occasion; when they had viewed every part of the premises in a most minute manner, which took up four hours, they graciously partook of some refreshment provided in the house, and they expressed themselves exceedingly pleased with the whole. Mr. Whitbread attended their majesties, and they seemed very much satisfied at viewing so large a work totally employed in the consumption of the growth of England. The whole was conducted with the greatest regularity and order, in a very plain and elegant manner. The steam engine in this brewery is erected in a handsome building, so as to exhibit every part of it at one view; and Mr. Watt, the patentee, was present to explain the machine, which afforded their majesties singular pleasure.—Their majesties were attended by three of the princesses, the duke of Montagu, lord Aylesbury, lord Denbigh, the duchess of Ancafter, and lady Harcourt.

Yesterday Andrew Robinson Bowes, esq. Edward Lucas, Francis Peacock, Mark Prevost, John Cummins, otherwise Charles Chapman, William Pigg, and three other persons, were tried in the court of king's bench, Westminster, before justice Buller, on an indictment charging them with an assault committed on Friday the 10th day of November last, on the person of the countess of Strathmore; after a trial of several hours, they were all found

guilty.—As soon as the trial was over, Mr. Bowes, by the advice of Mr. Erskine, withdrew the indictment, he had preferred against the countess, for perjury. See p. 31.

J U N E.

1. Arrived in London, Messrs. Tenon and Colomb, appointed by the royal academy of sciences at Paris, by order of the French council of state, to visit all the hospitals, of every sort, in Great Britain and Ireland, and make on their return, a particular description of every institution, and its several arrangements, management, and advantages. This commission is in consequence of the French government having resolved, on the representations of the royal academy of medicine, to remove the Hotel Dieu at Paris from its situation in the middle of the city; and to erect four or more grand hospitals at the outskirts of Paris, and such convenient small infirmaries in different airy parts of the city, to receive accidents, and such sick whose cases could not admit of being conveyed so far from their habitations as to the intended hospitals.

By order of the French government, Messrs. Tenon and Colomb delivered to sir Joseph Banks, bart. president of the royal society, a letter from the president and royal academy of sciences of Paris, requesting the president and royal society to assist those gentlemen in their examinations of the several hospitals.—They were received and entertained by sir Joseph Banks with that zeal and liberality which distinguishes his excellent heart; and, deeming this deputation from France as a high compliment paid to the British nation, sir Joseph has taken every step, by application to the British

British ministry, to the several official departments, and every society or person who, by their authority, recommendation, or assistance, could give those gentlemen the information they desired.

5. Was tried in the court of king's bench, an action of trespass and false imprisonment, brought by Mr. Charles Hay, a wine-cooper of Quebec, against sir Frederic Haldimand, as governor of that province, for arresting him on suspicion of high treason, as a man disaffected to the king's government and measures during the late disputes with America, and confining him in a loathsome cell during the space of three years and sixteen days. The confinement was confessedly illegal; but there were circumstances that justified suspicion; on which account the jury, which was special, moderated the damages, and found a verdict for the plaintiff, with 200*l.* damages.

6. Lord George Gordon was tried before justice Buller, at the court of king's bench, on an information for having written and published a pamphlet, intitled, "A Petition to lord George Gordon from the Prisoners in Newgate, praying for his Interference, and that he would secure their Liberties, by preventing them from being sent to Botany Bay."—This strange performance, being read, appeared to be a farrago of vague reasoning, and absurd reference, interlarded with a great number of Scripture phrases. The passage quoted in the information was to the following purpose; "At a time when the nations of the earth endeavour wholly to follow the laws of God, it is no wonder that we, labouring under our severe sentences, should cry out from our dungeons and ask redress. Some of us are about to suffer execution

without righteousness, and others to be sent off to a barbarous country. The records of justice have been falsified, and the laws profanely altered by men like ourselves. The bloody laws against us have been enforced, under a nominal administration, by mere whitened walls, men who possess only the shew of justice, and who have condemned us to death contrary to law, &c."

The attorney general opened the prosecution by remarking, that nothing could be more obvious than the purpose for which this publication was intended.—It purported to be an address to lord George Gordon; but, as it would appear, had been actually written by himself, with a view either to raise a tumult among the prisoners within, in an endeavour to procure their deliverance; or, by exciting the compassion of those without, to cause a disturbance, and produce the same effect. It was now but a few years since, he said, without meaning any particular application in the present instance, that the citizens of London had seen those effects completed, which this pamphlet went to produce; and the consequences were too well known to need a repetition. It included the law and the judges in indiscriminate abuse: he would not contend for absolute perfection in the former; but those who condemned our laws, should not reside under their jurisdiction. The criminal law was nowhere attended to with more care, or enforced with so much lenity.—This, however, had nothing to do with the present case, as the defendant had sufficiently shewn, by his conduct, that reformation was not his object.

John Pitt, the turnkey of Newgate, was then called. He deposed, that

that, in the month of December last, lord George Gordon had repeatedly visited the lodge, and asked to see the prisoners, particularly those under sentence of death, which request was often denied. On the publication of the pamphlet in question, lord George sent a copy to him, and others to Mr. Akerman, and Mr. Villette the ordinary. A few days after, he found a man and woman distributing them in great numbers at the door of the prison. In consequence of this, he waited on lord George at his house in Welbeck-street, and told him that there was sad work about the distribution of the pamphlet; to which his lordship replied, "No matter, let them come on as soon as they please; I am ready for them." He then saw a great number of the books in the room, and took one to Mr. Akerman, at lord George's particular desire; and also gave a direction to the residence of those persons who had distributed the pamphlets in the Old Bailey.

The records of the conviction of several persons were then read and authenticated; and Mr. Akerman, and Mr. Hall, the keeper of the New-Jail, Southwark, were called, for the purpose of proving, that there existed, at the time, convicts of the same description as those who were supposed to have addressed the pamphlet to the defendant.

Lord George asked the witnesses, severally, whether he had ever any conference with the persons mentioned in the record; to which they replied in the negative.

His lordship then entered on his defence; which was delivered in a desultory manner, and made up of materials as heterogeneous as ever went to such a composition. A petty fraud, he said, committed in his own family, had first drawn his at-

tention to the laws against felony, when he found that it constituted a capital crime, though the sum taken was no more than *eighteen pence*. He then entered into a history of our criminal law, from the time of Athelstan, for the purpose of proving that code, in its present state, to be by much too sanguinary. This, he said, was a subject which struck his heart. He had communicated his ideas to lord Mansfield, and to the recorder, who had admitted their propriety; and to judge Gould, who had desired him to put his thoughts on paper. This was all he had done in the present instance. His idea was only to enlarge the powers of the judges; though wicked lawyers had attributed to him another intention. He quoted the act of parliament for sending the convicts to South Wales, as a proof that the legislature thought with him on the subject: he quoted the Gazette of last Saturday, as a proof of his majesty's attention to God's laws, which he said were directly contrary to the present practice: and he assured the court, that, if he had time to send for his books, he could shew them that every word of his pamphlet was actually in the Bible!—His lordship complained very much of those vexatious prosecutions which were instituted against him. He quoted Blackstone's Commentaries, book iv. cap. 23. who says, "that informations filed *ex officio*, by the attorney general, are proper only for such enormous misdemeanors as peculiarly tend to disturb or endanger the king's government, and in the punishment or prevention of which a moment's delay would be fatal." This, he said, had by no means appeared in his case, as one of the informations against him had been pending for *ten*, and the

the other for *six* months. This extraordinary mode was therefore a grievance on him, which was not justified, as it appeared, by any pressing necessity. He exhorted judge Buller not to lose the present opportunity of instructing the jury on the disputed point, whether they were to judge of law as well as of fact. He then complained, that spies had been set over him by the treasury for several months; and concluded with repeating his declaration, that his object had been reformation, not tumult. His lordship spoke for upwards of an hour and a half.

Judge Buller, having briefly summed up the evidence, remarked, that there could be no doubt of the fact of the defendant's having written and published the libel, the former of which he had actually confessed. There remained, therefore, only to determine whether the averments in the information were equally true; that is, whether the judges of the different courts, his majesty's law officers, were those alluded to, on which the jury were to determine.

The jury, without hesitation, returned their verdict, **GUILTY**.

The printer, Thomas Wilkins, was then tried, and found **GUILTY**.

Lord George then presented an affidavit for the purpose of putting off his trial on the second information; stating, that he had proceeded, accompanied by a proper person, to Mrs. Fitzherbert's, in order to serve her with a subpoena: that, on appearing at the door, he read the original subpoena, and at the same time presented the copy and a shilling; but was, together with his attendant, turned out of doors by the servants; under these circumstances, so contemptuous both to

the name of the king himself, and his "*dearly beloved Francis Buller*," it would, he was convinced, render it indispensably necessary for the court to postpone his trial; and, as he considered the virtues of the judge equal to his abilities (both of which he admitted to be bright), he trusted his integrity would still remain unsullied, and that the court would not proceed to try him till they had evinced their power sufficient to the production of his witness, and believed they would not attempt to decide on him till they were first enabled to do him justice.

The attorney general said, that he could not possibly allow the merits of this affidavit. The notice of trial had been given near three weeks ago; therefore an ineffectual attempt to serve a subpoena but two days ago, could not form a sufficient claim to any farther delay. He wished also to know to what parts of his defence the evidence of Mrs. Fitzherbert would be applicable.

Lord George replied, by mentioning a conversation which, he said, he had with Mrs. Fitzherbert at Paris, with the relation of which he intermingled so many allusions to the situation of that lady, either too indelicate, or too absurd for repetition, that judge Buller was compelled to interpose. His lordship was with some difficulty silenced; and it was then ordered, that the trial should proceed.

The information was then read; which stated, as libellous and seditious, two paragraphs which appeared in the Public Advertiser, on different days in the month of August last, relating the particulars of a visit paid by count Cagliostro, accompanied by lord George Gordon, to Mons. Barthelemy, the French *Chargé des Affaires*, enlarging

ing on the merits and sufferings of the count, and concluding with some severe reflections on the French queen as the leader of a faction, and on count d'Adhemar, the French ambassador, and Mons. Barthelemy, as the insidious agents of the queen and her party.

The attorney general opened the case, and said, that, amongst the great number of libellous papers which the gentleman now before the court had published, it seemed to be strange that he should go so far out of his way as to libel the French ambassador, or any gentleman left in charge for him, as it could have no view whatever but to create a misunderstanding between the two courts. The characters of gentlemen representing their sovereign were not thus wantonly to be attacked; otherwise, no man could ever serve as an ambassador from any foreign court to the court of London, because they would be under the apprehension of seeing themselves attacked in the public papers, and held up as base and infamous characters, without an opportunity of gaining redress.

John Bolt was then called, who purchased two newspapers at Mr. Woodfall's office. Mr. Woodfall swore to the hand-writing of lord George. Mr. Frazer, one of the under secretaries of state, proved the official situation of count d'Adhemar and Monsieur Barthelemy. He added also, that the abuse contained in these paragraphs had been known and felt in the capital of France.

Lord George then put the following questions to Mr. Frazer:—Do you know any thing of d'Adhemar's family at Paris? No.—Don't you know he is of a very low and mean extraction? I do not.—Don't

you know that he bears a bad character in Paris?—The court stopped him by observing, that these questions tended to nothing, as the count was ambassador at this court.

Lord George then entered on his defence; when he contented himself with re-asserting and justifying every thing he had written. There did, he said, exist a faction in Paris guided by the queen, and the count Cagliostro had been persecuted for his adherence to the cardinal de Rohan; and although he had been acquitted by the parliament of Paris, yet d'Adhemar continued to publish base, false, and infamous paragraphs about him in the papers, particularly in the *Courrier de l'Europe*, a paper in French, published in London under the immediate patronage and direction of the count d'Adhemar. Cagliostro, therefore, threw himself under the protection of his lordship, to extend what influence he might have in his favour in this country. Count d'Adhemar, he proceeded to say, was a low man, of no family; but, being plausible and clever, had pushed himself forward to the notice of men in authority; in short, said his lordship, whatever Jenkinson is in Britain, d'Adhemar is in France. (This allusion to Lord Hawkesbury created an universal laugh.) He had been charged, he said, with libelling the queen of France; whereas it was impossible, as it was known what her character was in every street in Paris. The court was going to interpose, and stop this irregular discourse; but lord George, with a marked emphasis, said, he declared it, in the face of the court, that the French queen was as great a — as the empress of Russia. He was proceeding in this strain; and said many things, which respect to such

such high characters forbids us to repeat, until the court was compelled to interfere.

The attorney general observed—
You are a disgrace to the name of a Briton.

Lord George then continued—
It was in order to have these base paragraphs explained, that his lordship, with count Cagliostro, had waited on the French ambassador, where not receiving the information they expected, the paragraph in question was written and published. He therefore contended it was no libel, as it contained nothing but truth in favour of Count Cagliostro, who had as much right to the protection of the laws as Count d'Adhemar, or any other foreigner.—

After a short charge from the judge, the jury instantly returned their verdict, GUILTY.

The council for the prosecution were the attorney and solicitor generals, Mess. Erskine, Bearcroft, Baldwin, and Law. On the other side lord George stood alone, and pleaded his poverty, as an excuse for having neither advocate nor solicitor. See p. 31.

14. At the January session of gaol delivery holden at the Old Bailey 1787, John Moffat was indicted for forging and uttering a bill of exchange, in the words and figures following, with intention to defraud one William Ball.

Navy-Office, Dec. 21, 1786.

'Sir,

'Seven days after date, please to pay to Mr. John Moffat, or his order, the sum of three pounds three shillings, and place the same to the account of, Sir,

'Your most obedient humble servant,

'(L. S.) WALTER STIRLING.

'To George Peters, Esq; Accepted,

'Bank of England.' Geo. Peters.

'Indorsed—John Moffat, now surgeon of the Scipio guardship at Sheerness.'

Upon the evidence, the guilt of the prisoner was clearly established; but upon inspection of the bill, it was found to be drawn upon paper with only a two-penny stamp; whereas by 23 Geo. III. c. 49, upon all paper on which any bill of exchange shall be drawn for less than 50l. there shall be paid a stamp duty of sixpence. It was therefore objected, that as this was not a legal bill of exchange, it not being properly stamped, it could not become the subject of an indictment for forgery. But upon the authority of the case of the king *versus* Hawkeswood, the objection was over-ruled. However, in looking over the acts of parliament relating to bills of exchange, it was found to be enacted by 17 Geo. III. c. 30. 'That all negotiable bills of exchange above 20s. and under 5l. shall specify the names and places of abode of the persons to whom, or to whose order, the same shall be made payable; and that every indorsement thereon shall specify the name and place of abode of the payer; and that both the signing and indorsement of such bill shall be attested by one subscribing witness.'—A doubt was therefore conceived by Mr. Recorder, whether this indictment could be supported, as for forging a bill of exchange, which upon the face of it, by the express directions of the statute, was void. He therefore recorded the verdict guilty, but respite the judgment until the opinion of the judges was had upon this point.—And at the last session, Mr. justice

justice Ashhurst delivered the opinion of the judges, that the indictment could not be maintained.

Paris, June 7. On the 5th, between ten in the morning and two in the afternoon, the Comtesse de la Motte, according to the account of the keepers of her prison, made her escape from her confinement; but it is believed that she was fetched out at the repeated instances of several people of rank, who wished her to be in a more decent situation. It is remarked, that another prisoner went with her; and that she took away all her clothes, and even a canary bird in a cage.

21. Monday arrived with his suite, in perfect health, at Portsmouth, from Gibraltar, sir George Augustus Elliott. On his coming on shore he was saluted with the guns of the several batteries, and honoured with every testimony of publick gratitude.

22. Between one and two in the morning, a fire was discovered in the house of Mr. Whealy, paper-stainer in Aldersgate-street, in which Mrs. Whealy perished. The maid servant, who laid with her, not being able to wake her, got out at the window of the second floor, and hung by her hands till they were scorched, and then fell into the street, and was carried dangerously bruised to St. Bartholomew's hospital. A youth, apprentice to Mr. Whealy, was so bruised by throwing himself out at the garret-window, that he died next morning; and a child of three years old was missing. Mr. Whealy was out of town on a journey.

24. William Farrington, esq. citizen and cordwainer, and James Fenn, esq. citizen and skinner, were elected sheriffs of London.

25. Advice is received that lord

George Gordon, who for some days past, had been ordered to attend the court of king's bench to receive sentence, had landed at Helveotsluys, on Thursday se'n night.

25. Yesterday, at noon, the following paper, regularly stamped, was sold about the Royal exchange, by a woman:

THE LONDON GAZETTE EXTRAORDINARY.

Published by Authority.

St. James's, June 22d. 1787.

At six o'clock last night an express from the Right Hon. Viscount Torrington, his majesty's minister at Brussels, arrived at Deal, in an open boat from Dunkirk, and reached Windsor about half past four this morning with the intelligence, that a body of French troops, consisting of twenty thousand infantry, and twelve thousand horse with field pieces, under the command of Count de Vaux, had assembled on the 18th instant, at St. Amand from the adjacent garrison towns in the French Netherlands, and proceeded immediately on their march by Lessines, Ninove, &c. towards Holland.

His lordship adds, from undoubted authority, that every necessary preparation is making for the above mentioned troops to cross the Biesbosch at the new ferry, and the high and low Swaaluw, on their way to Dortrecht.

Printed by THOMAS HARRISON.
[Price three-pence halfpenny.]”

This was a forgery, intended to affect the funds, and it succeeded; for stocks fell one per cent. and, but for the discovery of the deception, would have continued rapidly to fall. The woman, Alice Lawrence,

rence, was brought before Mr. Alderman Pigot, at Guildhall; in her defence, she said, that they were delivered to her for sale by a man, who desired her not to cry them till she came to the Royal Exchange, and told her that he would meet her there. The alderman remanded her for re examination till this day, and in the interim, ordered strict search to be made after the person who delivered them to the prisoner for sale. A number of the like gazettes were also left at the pamphlet shops of Messrs. Axtell, Emerton, and Dean, at the Royal Exchange, and many of them were eagerly bought up prior to the discovery. [*The woman, in the sequel, underwent a second examination; but nothing farther transpiring, she was discharged.*]

26. Andrew Robinson Bowes, esq. Edward Lucas, Francis Peacock, Mark Provoost, and Henry Bourn, were brought into the court of king's bench to receive judgment for a conspiracy against lady Strathmore, when judge Ashurst pronounced the sentence of the court as follows, viz.

"That Andrew Robinson Bowes, esq. do pay a fine of 300l. to his Majesty: that he be imprisoned in his Majesty's prison of the king's bench for three years; and at the expiration of the said term to find security for 14 years, himself in 1000l. and two sureties in 500l. each.

"That Edward Lucas (the constable) do pay a fine of 50l. and be imprisoned in his majesty's gaol of Newgate for the term of three years.

"That Francis Peacock do pay a fine of 100l. and be imprisoned in the king's bench prison for two years.

"That Mark Provoost be imprisoned in the gaol of Newgate for one year.—No fine.

"That Henry Bourn do pay a fine of 50l. and be imprisoned in the gaol of Newgate for six months."

Lucas, Peacock, and Provoost, are already under bail, by order of the court of king's bench, themselves in 500l. together with two sureties in the sum of 250l. each, for keeping the peace towards Lady Strathmore for 14 years.

An application was made in behalf of Lucas, whom, it was said, might be dangerous to send to Newgate, as many persons who had been apprehended by him were now confined in that prison. The judge desired that a memorial may be presented, which would be received for consideration.

The same day, Mr. Wilkins, the printer, was sentenced to be imprisoned for two years in Newgate. (*See p. 27.*)

Dublin, June 19. A gentleman, led by a curiosity excited by reading an article originally published in a Dublin paper, recommending experiments in the various modes of tanning, has made, with success, the following discoveries:

He tanned goat-skins and calf-skins for book-binding, and basils, in the warm ooze wherein artichokes, were boiled, as effectually as if tanned with white galls, or the bark of the willow.

The flue leaf, boiled to a decoction in water wherein barley was steeped for malting, he found equally successful in penetrating skins with the vegetable matter necessary to render them serviceable.

And in the experiment he made on the root of the flag, or yellow iris, he found it answer all the purposes of the best white gall, which is far superior in strength and beauty

ty of effect to the best of all the barks.

Some of these skins he stained red, yellow and blue, and they answered nearly as well as the Morocco, and little inferior to the Lisbon leather.

Dublin, June 23. Yesterday, in the court of king's bench, a magistrate of the counties of Meath and Dublin, was complained of for writing a letter and tampering with the grand jury at the quarter sessions at Kilmainham, and afterwards at the commission of oyer and terminer, to find bills of indictment against a person whom he intended to prosecute.

After hearing the arguments of counsel on both sides, the lord chief justice delivered the sentence of the court, declaring that it ought to be known to the publick, that all such attempts were against law, and would, when complained of, meet with due punishment.

The magistrate was ordered to pay a fine of 50*l.* all the costs that the party complaining was put to, and to remain in the custody of the tipstaff until the whole should be discharged.

Paris, June 11. The French have just found out a method to make the light-houses on their coasts more useful than ever, by enlarging the body of light to appearance, and also giving each light a peculiar character, which will make it known and distinguishable from every other light, or any other fire or burning. Through means of a machine, very large reflectors, by turning regularly round, will throw successive dashes of light and shade as they gradually appear and disappear in going round. The experiment will be made at the entrance into the port of Dieppe. There is to be also a

reflector turning a fire fixed 15 feet above the machine, which is to turn the other.

Brussels, June 14. The Sieur Coffe, founder of the royal manufacture established at Laon, having discovered the secret of preparing with the husks of grapes a substance, which, when mixed with common pit coal, gives it a particular quality, and increases it to double the size, has obtained an exclusive privilege for fifteen years to make this coal through all the kingdom. By means of a particular preparation, this coal will be able to forge the largest pieces of iron and steel, make the iron more malleable, and give a superior temper and quality to cutting instruments. This discovery must prove extremely beneficial to the world.

J U L Y.

5. At a common hall, held for the election of a sheriff of London, in the room of Wm. Farrington, esq. who had sworn off, Matthew Bloxham, esq. citizen and stationer, was elected.

Bury, in Lancashire, July 5. A dreadful accident has just happened here by the fall of the theatre, by which more than 300 persons were inclosed among the ruins. The spectacle was shocking. Many were killed, many more dangerously wounded, not a few had their limbs fractured; and some were horribly bruised; in short, the whole town was in general lamentation, though many miraculously escaped unhurt.

9. On the 5th of July, in the night, a hill near Willington-quay, Newcastle, upon which a dwelling-house had been lately erected, slid away upwards of ten yards from its former scite. The inhabitants, who were asleep, did not perceive

this

this change; and, what is remarkable, the furniture in the house was not deranged.

10. On Wednesday morning, Mr. Bowes's second indictment against the countess of Strathmore, for perjury, came on to be tried at Guildhall, London, before a special jury, by appointment of the court; when no person appearing in support of the prosecution, her ladyship was acquitted.

11. Thursday afternoon, about a quarter before six, Mr. Bacon, clerk to the salt-office, was struck dead by a flash of lightning, at his house near the Bishop's palace, Lambeth. It seems, at the beginning of the storm he was drinking tea with his wife; the back windows of the one pair of stairs, to the south, having been open all day, he went up for the purpose of shutting them; in the action of lifting up his right arm, he received the stroke, which tore his coat eight inches in length, and four in breadth; from whence it entered his right side nearly opposite his heart, went through his body, and out of the left hip, and down his left leg to his buckle, which melted, and tore the upper leather of his shoe from the sole. His dog being at that foot, was also struck dead; after which, the lightning penetrated the wainscot and floor of the one pair of stairs, and made its way into the front parlour, north, where it tore the wainscot in a singular manner, and went off with an explosion louder than any piece of ordnance.

A cause of no small importance came on Saturday in the court of king's-bench at Guildhall.

An action was brought to recover the amount of damage done to a vessel coming up the channel last November by another, outward-

bound; and what appeared singular in the business was, that the ship, against the owners of which the action was brought, had gone down by the shock.

No bad intention being imputable to either party, the question turned entirely upon ascertaining by whose negligence the accident happened, and upon the general principles of seamanship.

The plaintiff's vessel, the *Judy Randolph*, was making the Downs *close-hauled*, at the time she fell in with the defendant's ship, the *Petersfield*, from which she received the injury. It was about half past eight at night, and about four or five miles from shore. The *Petersfield* was the last of a large outward-bound fleet, and was described as possessing all the advantages of wind and tide, both of which were unfavourable to the *Judy Randolph*; in that predicament it was contended, that it was the duty of the *Petersfield* to have gone to leeward: witnesses being heard, the learned judge summed up the evidence on both sides, and submitted to the jury the importance of ascertaining, beyond the possibility of any mistake, the general principles by which all captains of ships in such situations should steer in future. He remarked, that it was rather singular this point had never before been determined, considering the innumerable subjects which had been litigated among naval men.

The jury, after a few moments consultation, found a verdict for the plaintiff to the full amount of damages, and also declared, *that in future the ship that has the wind shall go to leeward.*

Dublin, July 9. An eminent wine merchant in this city was long afflicted with an asthma, which was

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brought

brought on by a violent cough. He applied to different gentlemen of the faculty, who prescribed many recipes, which he took, but found not the least benefit from any of them. After passing some years in this melancholy situation, and expending much money, he was advised by an old woman in the country to smoke coltsfoot, mixed with a little grass-cut. Though his faith in her prescription was not great, he determined to make trial of it; he accordingly smoked, morning and evening, about two pipes, and in a very few days perceived in himself a great change for the better. He persevered for some months, and is now perfectly free from his complaint.

22. Lord G. Gordon arrived at Harwich, having been escorted to the packet by a file of musketeers. The original orders of the burgo-masters of Amsterdam, delivered to him by a sheriff's officer, were to this effect: "My lord George Gordon, by order of the high esteemed lords the burgomasters of Amsterdam, you are to leave this city within the space of twenty-four hours. Signed TELLIER, sheriff's officer."

23. On Saturday, the sessions ended at the Old Bailey, when nineteen convicts received sentence of death.

At this sessions came on the remarkable trial of John Elliot, for shooting at Miss Boydell, niece to Mr. alderman Boydell. It appeared, that as Miss Boydell, and Mr. Nicol, bookseller, in the Strand, were walking up Prince's-street, Leicester-fields, a person came behind them, and suddenly fired a pair of pistols so close to the lady's side as to set fire to her cloak, yet she received no other hurt than a slight contusion on her shoulder.

Mr. Nicol instantly seized the assailant; and the pistols (fast bound together with a cord) were picked up by a servant that was passing by at the instant, and who saw them discharged. The person who fired them being carried before a magistrate, appeared to be Dr. Elliot, well known among the literati, whose insanity was attempted to be established. Dr. Simmons, physician to St. Luke's hospital, said, he had known the prisoner more than ten years, and that for some time past he had considered him as insane. He had observed, that from being one of the mildest and most inoffensive men he had ever known, he had gradually become irritable and passionate, very unequal in his spirits, and fond of maintaining strange inconsistent opinions. Dr. Simmons particularly mentioned a letter he had received from the prisoner in January last, which contained a passage that had still more confirmed him in his opinion of the deranged state of his intellects. This letter had been sent to him with a view to its being presented to the royal society; but the doctor had declined giving it in, as thinking it too visionary and inconsistent: a part only of the letter was read to the court, and the passage which the doctor pointed out particularly to their attention was, that in which the author asserts, that the sun is not a body of fire as hath been hitherto supposed, "but that its light proceeds from a dense and universal aurora, which may afford ample light to the inhabitants of the surface (of the sun) beneath, and yet be at such a distance aloft as not to annoy them. No objection, says he, ariseth to that great luminary's being inhabited, vegetation may obtain there as well as with us. There may be water and dry land, hills,

hills and dales, rain and fair weather; and as the light, so the season must be eternal; consequently, it may easily be conceived to be by far the most blissful habitation of the whole system." To this passage the recorder objected, that if an extravagant hypothesis were to be adduced as a proof of insanity, the same proof might hold good with respect to some other theorists; and he desired Dr. Simmons to tell the court, what he thought of the theories of Burnet and Buffon: but the doctor begged to be excused from saying any thing on those subjects; adding, that he had formed his opinion of Dr. Elliot's insanity, not merely from this letter, but from a variety of circumstances which he had observed in his conversation and conduct, and which had convinced him that he had for a considerable time past laboured under a deranged state of mind.

Other witnesses were likewise called to prove the insanity of the prisoner; which, however, could not be established to the satisfaction of the court. The prisoner, nevertheless, was acquitted; because he had been indicted for shooting at the prosecutrix with a pistol and ball; and the jury were satisfied that there was no ball in the pistol. He was then remanded to Newgate, in order to take his trial for an assault; but the feelings of the unhappy man, it is supposed, were insupportable; for he died a few days after; and the coroner's jury brought in their verdict, "That he died by the visitation of God."

At this session also was tried Henrietta Radbourn, otherwise Gibson, for the murder of her mistress, Hannah Morgan, by wounding and stabbing her in the head, while asleep in her bed: she was indicted, in one count, for petty treason, and

for wilful murder. The jury acquitted her of the former, and found her guilty of the latter; upon which judgment was respited till the opinion of the twelve judges could be taken. See p. 48:

23. An account is received by late advices from Madras, of the following very extraordinary circumstance.

Shaik Soyilman, a private soldier of the 20th battalion of the Sepoy corps, stationed at Chepauk, was tried at the Madras quarter session, in October last, for murdering his wife: the fact being sufficiently proved, the prisoner made the following very extraordinary defence: that he and his family having, from a variety of circumstances, been plunged into an insupportable state of distress, himself and his wife thought death infinitely preferable to the lingering rack of existence; that, after debating again and again the melancholy subject, it was resolved that he should first destroy their infant daughter, then his wife, and afterwards himself. This horrid plan was defeated, he said, by his wife's maternal feelings, who not being able to endure the dreadful thought of beholding the slaughter of her beloved and only child, entreated him to give her the first fatal blow; that, in compliance with her request, he put an end to her misery, by plunging a dagger into her bosom, and that, whilst in an agony of despair, he was preparing to destroy his daughter, the guards, alarmed by her cries, rushed in, and prevented the execution of his purpose.

The jury, taking all the circumstances into their consideration, brought in their verdict, "Guilty without malice"—but the court representing the illegality of such a verdict, they agreed to find him

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"Guilty."

"Guilty," at the same time strongly recommending the unfortunate wretch to his majesty's mercy. He will therefore remain closely confined till his majesty's gracious pleasure shall be known.

24. The removal of the minor lord viscount Gormanstown, from Ireland to Liege, has been thought a measure of sufficient magnitude to call for the interference not only of the government of Ireland, but also of the cabinet of Great Britain. The marquis of Caermarthen wrote in his majesty's name to the prince bishop of Liege, to desire that his highness would cause the young lord to be delivered into the hands of such persons as his majesty shall commission to receive him. But his highness returned for answer, that though he was the sovereign of Liege, he was bound by the laws and constitutions of his principality, and therefore could not take upon himself finally to determine in such a matter without the advice and concurrence of his grand chapter and his government; that he would, however, immediately communicate the affair, together with his majesty's wishes, to his council, and without delay make the marquis acquainted with the result of their deliberations. Accordingly the affair was maturely considered and debated in the prince's council, and it was at last resolved, that his highness could not, consistently with the laws of the state, force a catholic out of his dominions, for the purpose of putting him into the hands of those who would bring him up a protestant.

Birmingham, July 28. A few days ago a boat built with English iron by J. Wilkinson, esq. of Bradley Forge, came up our canal to this town, loaded with 22 tons and

1500 weight of its own metal, &c. It is nearly of equal dimensions with the other boats employed upon the canal, being seventy feet long, and six feet eight inches and half wide. The thickness of the plates with which it is made is about 5-16ths of an inch, and it is put together with rivets, like copper, or fire-engine boilers; but the stern-posts are wood, and the gun-wale is lined with, and the beams are made of elm planks. Her weight is about eight tons; she will carry in deep water upwards of 32 tons, and when light she draws about the same as a common wooden boat, viz. eight or nine inches of water.

Mr. Stalcouth, at the instance of a copper company, is now building a vessel whose bottom is to be entirely of copper without any plank-ing, which, were it continually to be suspended in water, might answer every purpose of commerce; but whether it will bear to be laid aground when loaded seems doubtful.

AUGUST.

10. This morning the disagreeable news was received at the East India House of the ship *Hartwell*, captain Fiott, being totally lost on her outward-bound voyage, the 24th of May, off the island of Bona Vista, belonging to the Portuguese. The unfortunate event appears to have happened through want of proper discipline on board the ship. The loss to the company, the insurers, and those who had property in the *Hartwell*, is estimated at not less than 100,000l.

The *Hartwell* was a new ship of upwards of 900 tons burthen, built for the company, and let at an under freight.

Captain Fiott who commanded her, with the greater part of the crew, saved

saved themselves on the rocks on which the ship split.

The chief mate and twenty-three men fitted the long-boat, and proceeded to the West Indies; arrived at St. Vincent's on the 23d of June; took their passage to England from thence in the William, captain Young, who landed them at Portsmouth, on the same day with captain Fiott.

Captain Fiott and the purser took their passage home in a Portuguese; but meeting an English cutter at sea, she landed them at Portsmouth on Friday the 10th instant.

The officers left at Bona Vista are, Mr. Crisp, third mate; Mr. White, sixth ditto; Mr. Nicholas Fiott, Mr. P. Patriarche, Mr. C. Willimot, Mr. Boydel, Mr. Price, midshipmen; Mr. Jones, captain's clerk; with fifty-two of the crew.

11. The king has been pleased, by letters patent under the great seal of Great Britain, to erect the province of Nova Scotia into a bishop's see, and to name and appoint the rev. Charles Inglis, doctor in divinity, to be bishop of the said see.

Præston, Aug. 7. Soon after the race, one of the stands fell with a great number of people on and about it, some of whom had their limbs broken. The crash of the stand, and the cries and groans of men, women, and children, were truly pitiable. The earl of Derby ordered every possible assistance to be administered to the distressed sufferers.

17. To the honour of humanity, and the credit of the Irish nobility and gentry, they have, during the late hay-harvest, raised the wages of their day-labourers in the field, three-pence a day; lord viscount Powerscourt set the example.

Paris, Aug. 6. On Tuesday last, a great tumult arose in the Italian playhouse, which in some measure

indicates the present disposition of the people of this country. The house being very crowded, and the weather extremely hot, the audience in the pit demanded, as has been customary on such occasions; that the doors of the boxes should be thrown open. This being a long time refused, a man who had distinguished himself by his loud voice, was seized by one of the guards: the people joined immediately to rescue their friend, a scuffle ensued—at length the rest of the guards entered and carried off their prisoner. The pit still more irritated, determined the play should not begin till the man was released. After a long and violent confusion, the officer very prudently drew off all his men from the playhouse, in order to prevent any disagreeable consequences, and set their prisoner at liberty, who was immediately brought back on the shoulders of the people, and received with the universal applause of the whole house.

Petersburgh, July 20. An ukase, or imperial edict, has just been published here, by which all arrears to the poll tax to the first of January, 1776, are remitted, and the term of twenty years granted for the payment by installment of the arrears due from that period to the first of January 1786. In default of money, corn is to be received in lieu thereof at the current market price. Persons who have served twenty-five years in the army are exempted from all personal taxes in their retirement. The tax on the purchase of lands and houses is reduced from six to five per cent. and what was formerly called the fourth tax, levied on such as entered into the possession of lands without the usual formalities, is remitted. All prosecutions depending against the heirs of public defaulters are to cease; and no

suit is to be commenced in future for a deficiency in the government cash, if proved to have happened involuntarily, unless it exceeds a thousand rubles. Deserters and other fugitives are pardoned, and the term of one year allowed for their appearance if within the empire, and two years if abroad. Criminals under sentence of death are to be employed at the public works. Prisoners, and those condemned to corporal punishments, are to be sent to the colonies, except those convicted of murder, or who may have been branded. The debts of persons who have been confined for five years, whether in public or private suits, are annulled. The limitation of ten years for the commencement of civil actions is extended to government claims; and all criminal and civil prosecutions, on the part of the crown, which have been depending for ten years, are superseded. Pardon is granted for negligence in public duty; but bribery and wilful offences of the like nature are excepted. Speculators in brandy and salt also share the general amnesty.

18. By a letter from the north of Ireland, it appears, that the late thunder, lightning, and hail have done much mischief there. The Giants-Causeway has been split in one part of the rock upwards of twenty yards, and at Glonarm, the seat of the earl of Antrim, several deer were killed in the park, and one cow had half her skull entirely and cleanly separated from the other part by lightning. There was a considerable commotion in the sea at Larne, and the waves rose mountains high, and the waters shook as if there had been an earthquake. A ship with glass bottles, bound from Ballycastle to Dublin, was forced from her moorings, and dash-

ed on shore above seventy yards from the water, to the amazement of the terrified beholders; only one man was lost, but the ship is broke to pieces. At Carrickfergus the hail did much damage, and killed a number of lambs, and even sheep.

22. A special court of directors was held at the India-house, for the purpose of taking into consideration the conduct of the captain and officers of the ship Hartwell; and after an examination into all the particulars, which lasted several hours, they came to a resolution to dismiss the captain and chief mate, and suspend the second mate from the service.

27. A botanical garden has lately been established at Bengal, under the direction of colonel Kydd, whose scientific discoveries are likely to prove of the greatest benefit to the India company, who have sent out orders to earl Cornwallia to spare no expence in rendering his labours effectually beneficial.—The cinnamon and sago trees are directed to be particularly attended to: the former most valuable spice, it is thought, may be produced nearly equal to that of Ceylon; and the sago trees, if successful, will prove an inestimable resource in cases of famine and pestilence.

28. The right hon. lord Dunboyne read his recantation from the errors of the church of Rome, in the parish church of Clonmel, on the 22d of August last. The earl of Earlsfort, chief justice of the king's bench, with several others of the nobility, and a very numerous congregation, were present at the solemnity. His lordship, who was titular bishop of Cork, had very lately entered into the holy state of matrimony, and was, consequently,

sequently, suspended from his ecclesiastical dignity.

30. The directors of the India company have presented the society for promoting Christian Knowledge with one hundred reams of superfine paper, for the purpose of enabling the society to complete a version of the Bible in the Malabar language, for the use of the natives of India.

31. Letters from Sicily give an account of an extraordinary eruption of mount *Ætna*, such as has not happened before in the memory of man; a loud rumbling noise, and a quivering of the mountain, preceded this phenomenon; but, on the 18th of July, about three in the morning, a terrible volume of fire issued from the mountain like a whirlwind, and with such a blaze as if the mountain was opened, and a column of fire had added two-thirds to its height, which cast such a light, that people could see to read by it at twenty miles distance. A shower of sand, or calcined lava, and stones of an enormous size, were cast a prodigious height, and fell again at a great distance. Sulphureous vapours, lightnings, and horrible howlings in the air, accompanied this dreadful irruption. The shower of sand and calcined stones is said to have fallen on the city of Messina, the coast of Calabria, and on all the islands and adjacent coasts as far as Malta. The column of fire at first took its direction towards the Ionic sea; but, at a certain distance, shifted towards the African coast. The inhabitants suffered from the suffocating smell, and the extreme heat of the air. All the produce of the earth is destroyed; and, for many miles, the land resembles the scorched deserts of Libya. It is remarkable, that *Vesuvius* began about the same

time to send forth flames; and the lava flows at present along the valley which separates that mountain from mount *Somma*.

SEPTEMBER.

3. One Thomas Stone having written a very extraordinary letter to her majesty, in which he avowed a passion for the princess-royal, it was thought necessary to apprehend him; and his person being known to the Bow-street people, one of them was sent to Windsor, where, on Wednesday last, Stone set off with the design of visiting the royal family. He stopt at Brentford, and in the morning walked off with an intention of going to Windsor, to know the reason why he had not an answer to the proposal; but meeting with his majesty on horseback, he returned and followed the king to Kew; here the unhappy man was apprehended, and taken into custody by the soldiers. *Macmanus* was sent for, who brought him to town, and he was taken to Mr. Nepean's office. The person at whose house he lodged in the city was sent for. His conversation is truly that of a lunatic; he says, his heart was stole from him three years ago, and till last March he did not know who was the robber, till being at the play, he saw the princess royal look up at the two shilling gallery, and there he discovered the possessor of it. Upon being asked if he should know her, he said no; but he was going to Windsor to take her. [*He was committed to Tothill-fields Bridewell for further examination, the result of which was, that he was conveyed, a few days after, to Bethlehem Hospital.*]

Calcutta, Jan. 28. Earl Cornwallis is unremitting in his enquiries

ries and superintendence of every department, and seems, at least as to disinterestedness and diligence, to be the counterpart of what lord Macartney was at Madras. The noble earl was scarcely entered on his new authority the first of the year, when he suspended Mr. Barton, and nine other members of the board of trade, and Mr. Henchman, the paymaster general. The charges are not yet known but to the parties; and it is said, that they had not the least suspicion of any matter being against them, until the order of the suspension passed the board. The secretaries, and every person in such public departments, have been obliged to relinquish all their private concerns in trade, &c. The nabob of Bengal has been to visit the governor general, and was much surprised at his lordship's refusal of a nuzzer (present) of eight thousand rupees; as, on the other hand, was earl Cornwallis, at the nabob's requesting he might be permitted to spend his pension of sixteen lacks of rupees a year as he chose, which his lordship immediately ordered. Mr. Colebrook was imprudent enough to let his moonshca (Persian clerk) take a present from the nabob of ten thousand rupees, for which he lost his appointment of Persian translator to the council. All this is such a strange reverse in Bengal, that nabobs, rajahs, &c. are making daily application for leave to come to Calcutta, to visit the phenomenon.

Glasgow, Sept. 4. For some time past the operative weavers have been in very bad humour respecting the reduction of their wages upon some kinds of work. This forenoon a number of them assembled, and cut several webs out of the looms of those persons who had

agreed to work at the reduced prices. The magistrates met and sent the town officers to seize the perpetrators, but finding themselves too weak, they returned. The magistrates then went along with them, and came up with the operative weavers (who had several of the webs they had cut out in their hands) about the east end of the Gallowgate. The magistrates remonstrated with the weavers, who, instead of listening to their argument, pelted them with volleys of stones, one of which struck the lord provost a violent blow on the arm; some other gentlemen were wounded with the stones. It was then found necessary to call for the aid of the military, who conducted the magistrates back to the council chamber, where they deliberated upon what was to be done. The military were ordered to draw up at the Cross, with screwed bayonets, and their guns loaded with ball. The magistrates then came out, and caused the riot act to be read to an immense multitude, who were now assembled, and gave suitable advice to the populace, warning them of their danger, and desiring them to disperse, but in vain. The soldiers then were ordered to the Gallowgate, where the principal body of the weavers were. On approaching them, the military endeavoured to line the street and lanes, when a scuffle ensued, upon which the soldiers were commanded to fire, which they did, and killed four or five persons, and wounded several. After this a number were taken prisoners and lodged in gaol. *[The persons killed were interred a few days after, without any disturbance; the wisdom and firmness of the magistracy having restored tranquillity to the city.]*

3. At the annual meeting of the French

French academy on the 25th instant, the prize of Virtue was adjudged to a maid servant of the name of La Blond, who supported, by her work and the little income she has, her master and mistress for upwards of thirty years; and now, after their death, she takes care of their children, going out to nurse for the purpose of procuring them the necessary assistance. By recalling to the audience's mind to unparalleled an instance of fidelity and charity, which they had already heard of in the public papers, a degree of enthusiasm spread its influence over every individual; and an eminent magistrate proposing to make a collection upon the spot for the children, who were present, it was immediately agreed to. Thirty-three louis d'ors were collected, which added to the prize, fifty louis, made up the sum of eighty-three pounds sterling. A private gentleman offered to take the money, and to pay an interest of ten per cent. with the capital always remaining.

24. Nineteen prisoners received sentence of death at the Old Bailey. Among the trials worthy of observation, this session, were that of Thomas Riley and Abraham Davids, indicted for procuring John M'Daniel to take a false oath at Doctors Commons, for the purpose of procuring letters of administration to the estate and effects of James Lewis, deceased.

John M'Daniel being produced as evidence for this prosecution, was opposed by Mr. Sheppard and Mr. Garrow, as being a person convicted of a capital offence last session. He was then put to the bar, and addressed by the clerk of the arraigns in the usual way. "John M'Daniel, you have been convicted of felony, what have you to say, why the court should not give you

sentence to die according to law?" He then fell on his knees, and pleaded the king's pardon.

The recorder being of opinion, that it was not sufficient to produce the record of the conviction of M'Daniel, of the crime for which the prisoners stood indicted, of procuring; but that the jury, who were impanelled on the present trial, should be satisfied that the verdict of the jury who tried John M'Daniel, and found him guilty, was just; the whole of the evidence on the former trial was then examined; after which, John M'Daniel was called, upon which Mr. Sheppard very strenuously opposed the admission of this evidence, contending, that it was not in the king's power to give competency to the present witness; he admitted, that, as to the man forgiven, the king's pardon was complete, but that pardon could not operate to the prejudice of a third person, which would be obviously the case if the witness was permitted by his evidence to criminate the prisoners.

Mr. Garrow maintained, that the evidence of the witness was inadmissible; he said, that the counsel for the prosecution had argued, that the king's pardon was to be considered as a charter of restoration. He, on the contrary, contended, that it could only be considered as a charter of remission,—not that which restored a man to his former privileges as a member of society, but merely a forbearance of the execution of the punishment which the law demands and the king has a right to inflict or withhold. He contended, that although the king could pardon the offence, yet he could not give the person in question any more than his forgiveness: that in the case of treason, it was clear the king could pardon, but he could

could do no more ; before the traitor could be restored, an act of parliament should pass for that purpose precisely in the same terms, and describing the predicament in which the person in question stood. Many other arguments were advanced, which were considered by the court as of great weight.

The witness was however examined, and the prisoner Abraham Davids was acquitted, but Thomas Riley was found GUILTY—*Death*.

The recorder observed that the objections made by the learned counsel to the evidence of John M'Daniel, had made so forcible an impression on his mind, that he should, at all events, reserve the case for the opinion of the judges.

29. John Burnell, esq. elected lord-mayor of London.

OCTOBER,

6. The hemp and flax which is to be cultivated in New South Wales, is from the hemp or flax plant of New Zealand, which is about a fortnight's sail from New South Wales.—In Zealand it grows spontaneously, and is fit for the various purposes of flax, hemp, and silk, and much easier manufactured than either of them ; the threads or filaments are formed by nature with such delicacy, that they may be divided into threads small enough for making the finest linen ; in colour and gloss it resembles a pale green silk, and is of such a texture, that a cable of ten inches being made thereof, is equal in durability and strength to one of eighteen or twenty inches made of European hemp.

20. A court martial has been sitting some time at the Horse-guards, on the trial of major John Browne, of the 67th regiment, upon

a complaint exhibited by the members of a court-martial at Antigua, of disrespect to them, and on a charge of cruelty to Thomas Edwards, a private soldier. And yesterday the court-martial delivered their sentence, that the major was so far guilty of the disrespect laid to his charge, in that he had disclaimed the authority of the Antigua court martial to put him in arrest, refused to pay obedience to them as a court, and submitted to the arrest on the sole ground of the president being an officer of superior rank to him. But for this contempt it was judged, that the very long period of the major's arrest was a sufficient punishment.—With respect to the private soldier, he was found guilty, not of *cruelty*, but of *oppression*, and was sentenced to be suspended from pay and duty 300 days, the time during which he had confined the said soldier without trial ; and he was also sentenced to pay the soldier forty pounds.

The court also declared, that all courts martial are entitled to obedience, how low soever the rank of the members that compose it ; and that an attempt to depreciate the military character of a commanding officer, when not in the exercise of his command, was not an injury of a mere private nature, but within the cognizance of a court martial.

23. Mr. Prior, of Charlotte-street, coming home late in the evening on Wednesday the 20th ult. perceived a light of an extraordinary kind in the house of Christian Paulson Wyvill, and knocked at the door to enquire the cause. A female servant answered the bell, and stated that only a warehouselman and herself were in the house, that her master had set off for the continent, a day before, and that no person had

had, to her knowledge been in the apartment from the windows of which the light in question was seen, but that she would readily accompany Mr. Prior up stairs, and see what was the matter. When they came to the room, it appeared that the wainscot was on fire, and the whole of it nearly consumed, in consequence of some rolls of paper, dipped in a preparation of combustible quality, having been spread about the floor; but that a bed and its furniture, that stood in the centre of the apartment, had escaped the flames. A few pails of water extinguished the fire, and, on searching the other rooms, it was found, that a most artful preparation had been made for their being burnt. As the tenant had previously insured to a considerable amount in the Royal Exchange and Phoenix fire-offices, the directors of both joined in sending Mr. Prior a present of an elegant and costly silver salver with the following inscription:

"The Governor and Company of the Royal Exchange assurance, and the Directors of the Phoenix fire-office, to Mr. Philip Prior, as a memorial of his services to them, and to the public, on the 20th of September, 1787, when by judicious exertions he stopped the ravage of a fire, lighted by an incendiary."

27. At the sessions, which ended at the Old Bailey, six convicts received sentence of death. At this sessions the following remarkable case occurred:

John Hagen was indicted for unlawfully obstructing the officers of the revenue in the exercise of their duty, when they were seizing a certain quantity of geneva. This resistance, by act of parliament, is made a capital offence.

The indictment being read, and the prisoner asked, "Are you guilty

of this felony or not guilty?" he pleaded, "Not guilty." Mr. Garrow, his counsel, informed him, that he had perused the case attentively, and from the circumstances which attended it, he was persuaded it would be to the prisoner's advantage to wave his plea, and instead of it to plead "Guilty." The prisoner took his advice, and pleaded "Guilty."

The solicitor-general then stated the circumstances of the case, and admitted that the prisoner was an object to whom lenity should extend; it was the duty of his office to state the nature of the case, it was a duty also which he owed to humanity to state the extenuating circumstances which attended the prisoner's guilt. The fact was, that the prisoner, in company with others, entered into a very serious resistance to the king's officers, who were upon their duty in seizing goods for the king's use; but that the prisoner having saved the life of the officers, very properly became an object of as much lenity as the law allowed.

The recorder then pronounced sentence that he be only confined for one month in the cells of Newgate, and then discharged.

NOVEMBER.

1. Peter Belin, of South Carolina, has with much labour, hazard, and expence, discovered and introduced into that state three several principles of water works.—One to overflow with water the surface of any tract of land twenty-six feet or more above the level of any river or course of water, at a cheap, easy, and expeditious rate.—Another to drain low overflowed lands down to any depth, and to throw water up to any height, from one to two hun-

hundred feet perpendicular: and also a certain other machine, that will, in eighteen months or two years at farthest, freshen any salt or marsh land, so as to make it fit for the culture of any kind of produce suitable to the climate of Carolina; and at the same time to beat out rice, grind, or saw lumber, in a certain regular, constant, and easy process.

All of these inventions are conducted in the simplest manner, and constructed upon plain and easy principles, built at a moderate expense, and promising the greatest utility. The legislature of South Carolina have vested in him the sole and exclusive right and liberty of erecting, building, and vending within that state, the said three several water-works during the term of fourteen years.

6. Tuesday was tried on board his majesty's ship *Flora*, at Deptford, a new invented machine, calculated for the benefit and ease of the seamen on board the royal navy, and the preservation of ships of war, by working the chain pumps not only with more ease and fewer number of men in time of distress, but likewise in delivering ten thousand gallons of water by one single pump more in the space of one hour, than the present mode of working by the winch can admit of in a like situation, and a like proportion in working two, three, or four pumps.

12. On Saturday died raving mad, Mr. Thomas Wood, master of the assembly-house at Kentish-town. This unfortunate man was the object of prosecution by the late sir Thomas Davenport, for a highway robbery. He was very honourably acquitted; and it came out afterwards, that he was perfectly innocent of the fact, and that two

men, since executed, had committed the robbery. The poor fellow, in consequence of his long confinement in Newgate, and the severe effect of his feelings, had epileptic fits from the day of his discharge, and became more and more indisposed till the time of his fatal catastrophe. See *Vol. V. p. 102, and Vol. VI. p. 17, and 53.*

15. The following is an exact copy of an American paragraph in a Boston newspaper: "At the supreme judicial court held at Worcester. Ichabed Hayward and Patience Twitchell were convicted of the crime of adultery, and received sentence as follows: Hayward to sit one hour on the gallows with a rope about his neck, one end thereof cast over the gallows, to be publicly whipped on the naked back thirty stripes, and suffer three months imprisonment. Patience Twitchell to sit one hour on the gallows, with a rope about her neck also, one end thereof cast over the gallows and to be publicly whipped twenty stripes on her bare back."

Dublin, Nov. 20. Last night a number of villains found means to conceal themselves in the palace of the archbishop of Dublin, where they murdered the porter and housemaid, and afterwards set fire to the palace in several places; but the flames were extinguished without much damage.

The archbishop and his family were at Tallaght, and their plate, &c. had not been brought to Dublin. This morning his grace came to town. The strictest search is making for the perpetrators.

It is remarkable the cellars were not broke open; nor do we learn that any goods were taken away, which is attributed to the courage of the ancient faithful porter, who had

had once been in the army, and probably made a stout resistance. One man and two women are taken into custody on suspicion. [*The man was tried in the sequel, but acquitted for want of evidence.*]

24. An action was lately brought against the high sheriff of Kent for extortion, his officers having taken, in levying an execution on the effects of Mr. Woodgate, more than the law allowed.

This action was tried at the assizes at Maidstone before Mr. justice Gould, when it appeared to the jury, that the officers had taken much more than they had a right to levy, a verdict was given for the plaintiff, damages fifty-four pounds, being the sum the jury calculated upon the over-charges.

The counsel for the defendant then insisted that a case should be made upon the point of law, for that although extortion had been proved, yet, as it was the act of the *sheriff's officer*, and not the act of the *sheriff*, the action was improperly brought; for the sheriff could not be supposed to be answerable for the conduct of his officers in the commission of an illicit act; and if an action did accrue to the plaintiff, the person who actually committed the act was alone liable. Upon which Mr. justice Gould ordered the verdict to be recorded, subject to the opinion of the court of king's bench.

Yesterday this business was solemnly decided. It had been long the practice of sheriff's officers to take enormous fees on levying executions; and they have not only been suffered to pass without dispute, but have been considered as strictly legal.

Mr. justice Blackstone, in the second volume of his reports, p. 1103, considers the fees of the sheriff's of-

ficers on the levying of executions to be of a date so ancient, as to be entitled to be considered as part of the law, particularly as no doubt had ever been entertained of the propriety of the practice.

Mr. justice Ashurst entered into the nature of the office of sheriff, and observed, that originally by the common law, he was not allowed any fees for the execution of the king's writs. That by an act, passed in the reign of Q. Elizabeth, he was entitled to the following allowance, viz. one shilling in the pound upon all executions where the sum levied amounts to 100l. or less, and to 6d. in the pound for every thing above that sum: he was clearly of opinion that the sheriff was not entitled to any thing else, and therefore, wherever he charged more it was extortion.

He was also of opinion, that in all civil cases, the sheriff was accountable for the actions of his officers in the execution of any of his mandates.

Mr. justice Buller was decidedly of the same opinion, as was Mr. justice Grose, who said, he was happy the present dispute came before the court, for, by the present decision, the law would be clearly understood on this important point.

The determination of the court therefore is, that the sheriff is entitled, on the levying of executions, to nothing more than what is allowed by the statute of the 29th of Elizabeth. Officers fees, which have hitherto been so oppressive and enormous, are now totally annihilated. The sheriff is also *civilly* responsible for the conduct of his officers, when on the execution of their duty. *See p. 48.*

25. An act has been passed by the legislature of New York, discharging

charging every person from imprisonment, confined in any gaol of that state, for any debts, fines, or forfeitures, not exceeding fifteen pounds, exclusive of costs.

And further enacting, that no individual thus discharged, shall at any time thereafter be imprisoned for the same cause. But it is provided, by the authority above-mentioned, that every debt and damage, judgment, and decree, had or obtained against every person so discharged, shall be good and effectual against their goods and estates, real and personal. This act extends to all debts, fines, &c. due to the people of this state.

The wisdom of this regulation is sufficiently obvious, for at the same time that it relieves the poverty which is the consequence of unavoidable misfortune, it effectually guards against fraudulent debtors, by suffering the claim of the creditor to remain in full force.

Kingston, Jamaica, Aug. 25. This day arrived at Old-Harbour, in an open canoe, one Elias Bascome, belonging to the island of Grenada, from off the coast of which he had been driven in a violent gale on the 6th of last month; and being unable to regain it, or to reach any of the Windward islands, he was forced to commit his vessel to the guidance of the winds, which have happily conducted him hither. This unfortunate man, during the nineteen days that he was at sea, had no other sustenance for himself and a negro, but a few pounds of salt-beef and some peas, which he happened luckily to have in the boat with him, and such fish as he could catch by accident, not having any tackle on board for that purpose. Rain-water was his only drink, with which he had frequent opportuni-

ties of being supplied in the course of his voyage.

25. The island of Dominica, in the course of the month of August last, has suffered three most dreadful disasters, which have almost laid desolate the whole island. The first, which happened on the 3d, was but of short duration, and did little damage to the country; but cast on shore a Guinea ship, and several small craft, that were totally lost. The second, which began on the 23d about ten in the morning, continued with unabating fury till late in the evening, bearing down every thing before it with inevitable destruction. The sea raged at the same time, and buildings, standing corn, canes, shipping, trees, plantations, and other produce, the stores, &c. on the beach; all suffered alike, and nothing but destruction was to be seen throughout the island. The third gale, which happened on the 29th, was attended with more mischief than either of the other two. A third African ship, which had slipt and rode out the former tempests, was cast on shore in this, with a cargo valued at 10,000l. all the houses and works on the pelongs, at Prince Rupert's bay, the barracks, and other buildings, on Morne Bruce, except the block-houses and magazine, are among the ruins. In short, the island is in a most deplorable situation, the provisions in the stores are rendered unfit for the sustenance of the inhabitants; and the ensuing crops without hopes of recovery. The troops, both officers and soldiers, have shared in the common calamity, the hon. Mr. Gore, of the 30th regiment, was dangerously wounded. Captain Mafferton also of the same regiment is much hurt. [*Considerable damage*]

damage was also done in other West India islands, both French and English.]

DECEMBER.

1. This day some fishermen fishing in the river Thames, near Poplar, with much difficulty, drew into their boat a shark yet alive, but apparently very sickly. It was taken on shore, and being opened, in its belly were found a silver watch, a metal chain, and a cornelian seal, together with several small pieces of gold lace, supposed to have belonged to some young gentleman, who was unfortunate enough to have fallen overboard; but that the body and other parts, had either been digested, or otherwise voided; but the watch and gold lace not being able to pass through it, the fish had thereby become sickly, and would in all probability very soon have died. The watch had the name of Henry Watson, London, No. 1569, and the works are very much impaired. On these circumstances being made public, Mr. Henry Watson, watch-maker, in Shoreditch, recollected, that about two years ago he sold the watch to Mr. Ephraim Thompson, of Whitechapel, as a present to his son, on going out on his first voyage, on board the ship Polly, captain Vane, bound to Coast and Bay. About three leagues off Fal-mouth, by a sudden heel of the vessel, during a squall, master Thompson fell overboard, and was no more seen. The news of his being drowned soon after came to the knowledge of his friends, who little thought of hearing any thing more concerning him. Mr. Thompson is said to have purchased the shark, to preserve it as a memorial of so singular an event. It is the

largest ever remembered to have been taken in the Thames, being from the tip of the snout to the extremity of the tail 9 feet 3 inches, from the shoulder to the extremity of the body, 6 feet one inch; round the body, in the thickest part, 6 feet 9 inches. The width of the jaws, when extended, 17 inches. It has five rows of teeth, consequently five years old, having an additional row every year, till it arrives at its full growth.

Fresh water may be extracted from salt by the following simple process: the experiment has very lately been made with success by Mr. Allen, of Newhaven, in America. A common hogthead is provided with a false bottom, about three or four inches above the lower head. This false bottom is perforated with a number of holes, and over them a filter of flannel. The barrel is then nearly filled with the finest sand, beat down very hard; a tube, communicating with the space between the two bottoms, is extended to a convenient height above the top of the barrel. The sea water is poured into this tube, and pressing every way according to its altitude, it endeavours to force its way through the sand to the top of the barrel, whence, by this mode of filtration, it is drawn off fresh and fit for use. Any other filter will do as well as flannel, which will stop the sand, and admit the water. The saline particles being heavier, and perhaps differently formed, meet with obstructions from the sand, and are left behind.

5. Was tried, before the barons of exchequer, an information filed by the attorney-general, against Thomas Harman, of Fairlight, in Sussex, for exporting wool; when a verdict was given for 732l. the penalty of 3s. for every pound weight

weight so exported. Next day a verdict was given against John Harman of the same place, for the like offence, of 3899l.

10. Lord George Gordon was apprehended at Birmingham, by Mr. Macmanus, on the 7th instant, on a warrant from judge Buller, for a contempt of court. It appears, that he has lived at Birmingham ever since August last, conversing with nobody but the Jews, whose mode of dress and manners he has assumed, and to whose religion, it is said, he has professed himself a proselyte. His lordship made some scruple, at first, to travel on the sabbath: yet, though he might have been bailed till the day following, he chose to surrender to the judge, by whose warrant he was apprehended. He set out accordingly from Birmingham the same evening, or early next morning, and arrived at London on the 8th in the evening, but too late to be received into the king's bench prison, and was therefore lodged at the grand hotel, Covent-garden, and next day delivered into the custody of the marshal. He appears with a beard of an extraordinary length, and the usual raiment of the Jews.

Henrietta Radbourne, alias Gibbons, who, in July session was convicted of the wilful murder of Hannah Morgan, her mistress, and her judgment respited for the opinion of the judges, was yesterday set to the bar at the Old Bailey, and acquainted, that their lordships had confirmed the verdict of the jury, and thereon Mr. recorder passed sentence on her to be executed tomorrow, and afterwards to be dissected. *See p. 35.*

13. Lord George Gordon was taken from the king's bench prison by a general *habeas corpus* moved

for by the crown, and committed to the master's side of Newgate. It should seem that there was some difference of opinion respecting the nature of the offence, whether bailable or not. The judge said, it was the order of the crown, and must be obeyed. His lordship was carried to Newgate in a hackney coach with a tipstaff. Lord George, whilst he resided in Birmingham, lodged in one of the dirtiest houses in Dudley-street, where the Jews chiefly inhabit.

20. An action was tried some time ago in Westminster-hall, which from the frequency of the offence complained of ought to be made known, that those who are unfortunate enough to fall into the hands of rapacious bailiffs, and who may not have the means of procuring legal advice, may see at once whether they are imposed upon in the payment of fees.

By the 29th of Elizabeth, c. 4. it is expressly enacted, "that sheriffs shall not receive for executing any execution upon the body, land, or goods of any person more than 12d. for every 20s. where the sum exceedeth not 10l.—and 6d. for every 20s. above 100l.—that they shall levy or take the body in execution for, on forfeiture of 40l. and treble damages.

Notwithstanding the positive injunctions of this act, it is a constant practice with sheriff's officers to make a variety of charges for commission, brokers, inventories, possession, &c. which in general mount up to treble the sum they are legally intitled to, and which if they fall upon the plaintiff, as they inevitably must where there is no penalty, will entirely eat up a small debt; or if upon the defendant, as in all cases where there is a penalty, very frequently exceed the whole

whole costs of the suit. Anxious to defend these exorbitant charges, the defendants in this action went so far as to hazard a trial in the court of king's-bench. The decision however was directly against them, the judge declaring those fees to be exorbitant and illegal.

For the more correct information of the public we shall state the customary rate of charges, and contrast it with that the legal fees, by which every man may judge for himself, without reference to a lawyer.

Usual Demand.

	l.	s.	d.
Warrant	0	2	6
Inventory	2	2	0
Broker	0	15	0
Commission at $7\frac{1}{2}$ per cent.	7	10	0
Poundage	5	0	0
Levy	1	7	0
Possession six days	0	18	0

Amounting in the whole to } £. 17 14 6

Legal Charge.

	l.	s.	d.
Warrant	0	2	6
Poundage on 100l.	5	0	0
Levy	1	1	0

Amounting only to £. 6 3 6

27. Prince William Henry, in the Pegasus, arrived at Plymouth.

Cologne, Dec. 3. The magistrate of this place has permitted the protestants to erect a place of worship, and build schools adjoining to it, and a mansion-house for their minister.

BIRTHS in the Year 1787.

January 5. The countess of Grnard, a daughter.

6. Lady of sir John W. Pole, bart. a son.

1787.

23. Lady Brownlow, a daughter.
26. The hon. Mrs. Arundel, a son.

February 17. The lady of sir David Carnegie, bart. a daughter.

— The lady of sir John Frederick, bart. a daughter.

April 2. Countess of Leicester, a daughter.

June 21. The lady of sir Henry Gough, bart. a son.

23. The duchess of Northumberland, a son.

July 8. Marchioness of Buckingham, a daughter.

26. Lady Elizabeth Fane, a daughter.

August 10. Lady of sir Thomas Whichcote, bart. a son and heir.

16. Viscountess Galway, a son.

22. Lady Hawke, a daughter.

29. Countess Waldegrave, a son.

30. Duchess of Beaufort, a son.

September 16. Mrs. Thurlow, lady of the bishop of Durham, a daughter.

October 3. Countess of Warwick, a daughter.

21. Lady of sir James Grant, bart a son.

November 11. Lady George Henry Cavendish, a daughter.

22. Lady Deerhurst, a daughter.

29. Countess of Tankerville, a daughter.

December 1. Lady of Henry Banks, esq. M. P. a son.

9. Lady of Richard Pepper Arden, esq. attorney-general, a daughter.

MARRIAGES in the Year 1787.

January 9. Hugh Owen, esq. member of parliament for Pembroke, to Miss Owen, daughter of the late general Owen.

25. Lord Sempill, to Miss Mellish, daughter of the late Charles Mellish, esq.

(D)

Febru-

February 12. Nathaniel Lee Acton, esq. to Miss Miller, daughter of the late sir Thomas Miller, bart.

27. Lord Arden, to Miss Wilson, daughter of sir Thomas Spencer Wilson, bart.

March 10. Hon. John Townshend, to Miss Poyntz, daughter of the late William Poyntz, esq.

31. Joseph Yates, esq. son of the late sir Joseph Yates, to Miss Charlotte St. John, daughter of the late lord St. John, of Bletsoe.

April 8. Lord Herbert, son of the earl of Pembroke, to Miss Beauclerk.

12. Lord Carysfort, to Miss Grenville, sister to the marquiss of Buckingham.

May 12. Hon. Geo. Neville, brother to the earl of Abergavenny, to Miss Walpole, daughter of the hon. Richard Walpole.

24. Earl of Aldborough, to Miss Henniker, daughter of sir John Henniker, bart.

27. The earl of Altamont, to the hon. Louisa Howe, youngest daughter of lord Howe.

June 1. William Egerton, esq. of Tatten Park, Cheshire, to Miss Armytage, daughter of the late sir Geo. Armytage, bart.

5. Edward Place, esq. to lady Anne Gordon, daughter of the earl of Aberdeen.

7. Rev. sir Thomas Broughton, bart. to lady Anne Windsor.

20. Lord Mulgrave, to Miss Cholmley, daughter of Nathaniel Cholmley, esq.

26. Lord Ballendon, to Mrs. Sarah Cuming, of Jamaica.

July 7. Sir John Whalley Smythe Gardiner, bart. to Miss Mary Newcombe, daughter of the late dean of Rochester.

Sir John Ramsden, bart. to the hon. Louisa Susannah Ingram

Shepherd, daughter of the late viscount Irwin.

12. Sir John Swynburne, bart. to Miss Emma Eliz. Bennet, of St. James's, Westminster.

30. Ashton Curzon, esq. to the hon. Miss Howe, daughter to lord Howe.

August 3. Hon. Charles Redlynch strageways, brother to the earl of Ilchester, to Miss Jane Haine, daughter of the rev. Dr. Haine.

9. George Calvert, esq. of the Coldstream regiment, to Miss Haddock, niece to the earl of Northampton.

11. At Milan, by dispensation from the pope, the marquiss Lewis Mariscotti, to lady Sophia Butler, daughter of the late earl of Laneshorough.

18. Lord Compton, to Miss Smith, daughter of Joshua Smith, esq. of Earl Stoke Park, Wilts.

30. Rev. Bernard Astley, third son of sir Edward Astley, bart. member of parliament for Norfolk, to Miss Hefe, daughter of Edward Hefe, esq.

September 17. Lord Barnard, to lady Catharine Powlet, daughter of the duke of Bolton.

22. Howell Price, esq. of Carmarthenshire, to the right hon. lady Aylmer.

October 29. Sir John Senhouse, bart. of Carlisle, to Miss Asley, of St. Leger's Ashby, Northamptonshire.

December 29. Viscount Sudley, son of the earl of Arran, to Miss Tyrrel, daughter and co-heiress of the late sir John Tyrrel, bart.

DEATHS in the Year 1787.

January 5. Sir John Tottenham, bart. father of lord Loftus.

Janu-

January 7. The hon. Thomas Compton Ferrers Townshend, second son to the earl of Leicester.

8. Lieut. general sir William Draper, K. B.

10. Henry Peckham, esq. king's counsel.

18. Dr. John Egerton, bishop of Durham.

29. Lady Frederick, relict of the late sir John Frederick, bart.

February 10. Drigue Billers Olinus, lord Waltham: the title extinct.

13. The compte Gravier de Vergennes, the celebrated French statesman.

16. George, duke of St. Alban's.

March 8. Samuel Graves, esq. admiral of the White.

15. Sir William Boothby, bart. colonel of the 6th regiment of foot.

April 1. Mary countess Talbot, relict of William, earl Talbot.

22. Major-general sir John Wrottesley, bart.

— General Thomas Gage, brother to viscount Gage.

6. Sir Merrick Burrell, bart. the title extinct.

— Hon. Charlotte Fettiplace, third sister of lord Howe.

— Lord Montague, only son of earl Beaulieu.

9. Joseph Browne, viscount Montague.

— Hon. Thomas Moleworth.

— Robert Shirley, earl Ferrers. Princess Anne Amelia, aunt to his Prussian majesty.

May 6. Frederick, viscount Bellingbrooke.

14. St. Leger St. Leger, lord Doneraile.

24. Francis Pierrepont Burton Conyngham, lord Conyngham.

25. Hon. Francis Colyear, youngest son of the earl of Portmore.

26. At Paris, lord John Murray.

June 1. Lady Jane Home, sister to the late earl of Home.

4. Miss Dawson, only daughter of viscount Cremorne.

6. Vice-admiral Robert Duff.

12. Hon. Grey Bennet, youngest son of the earl of Tankerville.

— Hon. Mrs. Moleworth, widow of colonel Moleworth, and sister to the present lord Moleworth.

20. Hon. Mrs. Magnus, eldest daughter of lord Newark.

22. Lady Isabella Moore, eldest daughter of the earl of Drogheda.

27. Sir Thomas Heathcote, bart.

July 1. James Townsend, esq. alderman of London.

— Sir James Hunter Blair, bart.

4. Sir Richard Jebb, bart. M. D.

7. General John Severne.

15. Lady Isabella Stanley.

20. Viscountess dowager Wenman.

21. George, earl of Shrewsbury.

August 4. Major-general John Salter.

14. Lady Boughton, relict of sir Edward Boughton, bart.

— Edmund Law, D. D. bishop of Carlisle.

16. Right hon. John Ponsonby, late speaker of the Irish house of commons.

22. Sir Thomas Wroughton, K. B.

September 8. William Campbell, esq. brother-german of the late John, duke of Argyle.

12. Jane, countess of Northington, relict of the late lord chancellor Northington.

24. Anna Maria, countess dowager of Pomfret.

October 9. Hon. Mr. Dawson, only surviving son of lord Cremorne.

17. Sir Richard Hoare, bart.

20. Lord James Beauchamp, bishop of Hereford.

(D 2)

24. Charles

24. Charles, duke of Rutland, lord lieutenant of Ireland.

— Lately, in France, George, earl of Dalhousie.

22. Hon. George Shirley, only surviving son of Robert, first earl Ferrers.

November 2. Admiral sir James Douglas, bart.

3. Dr. Robert Lowth, bishop of London.

16. George, marquis of Tweeddale.

26. Hon. and rev. Mr. Hamilton, brother to the earl of Abercorn.

December 7. Mrs. Mary Pitt, youngest sister of the late earl of Chatham.

15. Lady of admiral sir Edmund Affleck, bart.

18. Soame Jenyns, esq. author of the *Internal Evidence of the Christian Religion*, and other Pieces.

21. John, earl of Hyndford.

23. Madame Louisa of France, daughter of the late king.

27. Thomas, earl of Kinnoul.

— Jane, marchioness of Lothian.

20. George Brown, Thomas Wharton, James Stoddart, James Balmain, and Robert Graham, esqrs. to be commissioners of excise in Scotland.

26. Sir James Eyre, knt. to be chief baron of the exchequer.

27. Dr. Thomas Thurlow, bishop of Lincoln, to be bishop of Durham.

30. Rev. George Cotton, LL.D. to be dean of Chester.

February 7. Alexander Thomson, esq. knighted.

9. Nash Grose, esq. knighted.

— Sir Alexander Thomson, knt. Simon Le Blanc, and Soulden Laurence, esqrs. to be serjeants at law.

— Sir Nash Grose, knt. to be one of the justices of the king's bench.

— Sir Alexander Thomson, knt. to be a baron of the exchequer.

10. Francis Barker, esq. to be clerk of the cheque of the yeomen of the guard.

19. Right hon. John Charles Vilhiers, a privy counsellor.

20. Dr. George Pretymann, to be bishop of Lincoln.

24. Nathaniel Green, esq. to be consul at Nice.

— George Miller, esq. to be consul in North and South Carolina, and Georgia, and deputy-commissary for commercial affairs to the United States of America.

27. Dr. George Pretymann to be dean of St. Paul's, and canon residentiary.

— Rev. Henry Hardinge, LL.B. to the rectory of Stanhope, in the diocese of Durham.

March 6. Rev. James Fenton, M. A. to the rectory of Althorpe, diocese of Lincoln.

17. Rev. Samuel Smith, LL.D. to be a prebendary of Westminster.

PROMOTIONS *in the Year 1787.*

January 5. Right hon. John Hely Hutchinson, secretary of state in Ireland, to be privy counsellor in Great Britain.

— Robert Strange, esq. knighted.

10. Henry Lyte, esq. to be secretary and keeper of the privy seal, &c. to the prince of Wales.

— Henry Lyte, esq. col. Gerard Lake, and col. Samuel Hulfe, to be treasurers and receivers-general of his royal highness's revenues.

— Col. Samuel Hulfe, to be one of his privy council.

19. George Chetwynd, esq. knighted.

March 17. Rev. William Pearce, B.D. to be master of the Temple.

— Rev. Joseph Turner, D.D. to the rectory of Sudburn, cum capella de Orford, Suffolk.

23. Sir John Skynner, knt, a privy counsellor.

24. Thomas Rogerfon, esq. to be assistant-commissary of stores, &c. in Antigua.

April 4. William Greene, esq. to be standard-bearer to the band of gentlemen pensioners.

17. John Seton, esq. to be governor of St. Vincent.

— Arthur Philip, esq. to be governor of New South Wales.

21. John Edward Asley, esq. son of sir Edward Asley, bart. to be one of the equerries to the duke of Cumberland.

27. Sir Thomas Wroughton, K.B. envoy extraordinary to Sweden, to be minister plenipotentiary at the same court.

— William Fawkener, esq. to be envoy extraordinary to the grand-duke of Tuscany.

25. Gerard Fortescue, esq. to be Ulster king at arms, and principal herald of all Ireland.

May 1. Earl of Leven, to be high commissioner to the general assembly of the church of Scotland.

— Dr. George Hill, to be dean of the order of the Thistle, and of the chapel royal, in Scotland.

Earl of Dunmore, to be governor of the Bahama Islands.

5. William Cockell, esq. serjeant at law.

10. Hugh Carleton, esq. to be chief justice of the Common Pleas in Ireland.

John Bennett, esq. to be one of the judges of the King's Bench, in Ireland.

11. Arthur Wolfe, esq. to be solicitor general of Ireland.

14. Lord chief justice Carleton,

to be a privy counsellor of Ireland.

23. Appointments in the household of the prince of Wales, viz. Lord Southampton, groom of the stole.

Viscount Parker, viscount Melbourne, lord Spencer Hamilton, and viscount St. Asaph, gentlemen of the bedchamber.

Henry Lyte, esq. treasurer.

Hon. Hugh Conway, master of the robes and privy purse.

Col. S. Hulse, comptroller of the household.

J. Kemys Tynte, esq. col. sir John S. Dyer, bart. Hon. G. Fitzroy, col. Stevens, lieut. col. St. Leger, hon. lieut. col. Stanhope, Warwick Lake, esq. lieut. col. Slougher, and the hon. Edward Bouverie, grooms of the bed-chamber.

Lieut. col. Symes, capt. Wynyard, and capt. Birch, gentlemen ushers of the privy-chamber.

A. Robinson, esq. major J. Mackay, and William Willson, esq. gentlemen ushers daily waiters.

Rev. Dr. J. Lockman, clerk of the closet.

Col. Gerard Lake, first equerry and commissioner of the stables.

Col. Charles Leigh, Edward Scott, esq. major Churchill, hon. capt. Ludlow, and Anthony St. Leger, esq. equerries.

F. G. Lake, and Edward J. S. Byng, esqrs. pages of honour.

— John Fenn, esq. knighted.

June 1. Henry, duke of Beaufort, to be lord lieutenant of the county of Brecon.

23. Lord Carteret and lord Walsingham, to the office of postmaster-general.

27. Henry Partridge, Foster Bower, and Edward Law, esqrs. to be king's counsel.

— John Toler, esq. to be the king's

king's second serjeant at law, and the hon. Joseph Hewitt, to be his third serjeant at law in Ireland.

30. Matthew Robert Arnott, esq. to be usher to the order of the Thistle.

July 5. Dr. Richard Warren and Dr. Robert Hallifax, to be physicians in ordinary to the prince of Wales.

7. Sir George Augustus Eliott, K. B. to be baron of Heathfield, of Gibraltari.

10. Geo. Augustus, lord Heathfield, to have the arms of Gibraltari, as an honourable augmentation of his family arms.

14. Sir George Baker, barr. to be physician in ordinary to his majesty.

21. Anthony Meiry, esq. to be consul at Madrid.

August 2. George Hardinge, esq. to be judge of the counties of Glamorgan, Brecon, and Radnor.

4. Lord Hervey, to be envoy extraordinary to the great-duke of Tuscany.

8. The duke of York, a privy counsellor.

10. Major-general Grenville, to be comptroller; col. George Hotham, to be treasurer; col. Robert Abercrombie, lieut. col. William Morhead, capt. Charles Crauford, and Henry Bunbury, esq. to be grooms of the bedchamber to the duke of York.

11. Rev. Charles Inglis, D. D. to be bishop of Nova Scotia. *See Public Occurrences, p. 37.*

18. Right Hon. W. Eden, to be ambassador extraordinary and plenipotentiary to the king of Spain.

28. William Richardson, John Craven Carden, Charles Desvoeux, Edward Leslie, Henry Mannix, and Richard Gorges Meredyth, esqrs. to be baronets of Ireland.

September 1. Edward Verney Lo-

vett, M. A. to be chaplain in ordinary to the prince of Wales.

6. Rev. Francis Randolph, M. A. to be domestic chaplain to the duke of York.

15. Henry Fraser, esq. to be secretary of legation at Petersburg.

— Mark Gregory, jun. esq. to be consul at Malaga.

24. Richard, viscount Howe, and John Montagu, and Hugh Pigot, esqrs. to be admirals of the White.

— Molyneux, lord Schuldam, sir Hugh Palliser, and sir Peter Parker, baronets, John Vaughan, John Reynolds, and Matthew Barton, esqrs. and the hon. Samuel Barington, to be admirals of the Blue.

— Marriot Arbuthnot, Robert Roddam, George Darby, John Campbell, James Gambier, William Lloyd, and Francis William Drake, esqrs. to be vice-admirals of the Red.

— Sir Edward Hughes, K. B. sir Joshua Rowley, bart. sir Edward Vernon, knight, John Evans, Mark Milbanke, Nicholas Vincent, and Robert Edwards, esqrs. to be vice-admirals of the White.

— Samuel, lord Hood, sir John Lockhart Ross, bart. sir Chaloner Ogle, knight, Thomas Graves, Robert Digby, Benjamin Marlow, and Alexander Hood, esqrs. to be vice-admirals of the Blue.

— Sir Richard Hughes, sir Francis Samuel Drake, and sir Edmund Affleck, barts. to be rear-admirals of the Red.

* * * The above were already flag officers.

— Sir John Lindsay, K. B. and John Elliot and William Hotham, esqrs. to be rear admirals of the Red.

— Sir Charles Middleton, bart. sir Richard King, knt. John Peyton, John Carter Allen, John Dalrymple, Herbert Sawyer, and Jonathan Falconer, esqrs. to be rear-admirals of the White.

Sir

Sir John Jervis, K. B. fir Richard Bickerton, and fir Charles Douglas, barts. hon. John Leveson Gower, and Philip Affleck and Adam Duncan, esqrs. to be rear-admirals of the Blue.

— Hon. William Cornwallis, and Philip Cosby and George Bowyer, esqrs. to be colonels of marines.

28. Major generals Spencer Cowper, William Wynyard, Edward Mathew, Richard Burton Philipson, Francis Smith, John Partison, John Douglas, hon. Alexander Leslie, Samuel Cleaveland, hon. Henry St. John, fir William Erskine, John Campbell, and fir George Osborn, bart. to be lieut. generals.

Colonels Thomas, earl of Lincoln, John Campbell, John Leland, James Hamilton, John Scratton, Allan Campbell, James Rooke, Samuel Birch, Charles Crosbie, John Martin, Winter Blathwayte, John, earl of Suffolk, Ralph Abercrombie, hon. Chapel Norton, Alexander Rigby, and John Gunning, to be major-generals.

29. John Douglas, D. D. to be bishop of Carlisle.

October 1. John Cayley, esq. to be consul-general of Russia.

25. Samuel Wallis, esq. to be a commissioner of the navy.

26. Paul Jodrell, M. D. knighted.

27. George, viscount Townshend, to be marquis Townshend.

— Samuel Marshall, esq. to be a commissioner of the victualling-office.

— John Daniell, esq. to be comptroller of the salt duties.

29. Richard, lord Rokeby, archbishop of Armagh; James lord Liford, lord chancellor; and the right hon. John Forster, speaker of the house of commons; to be lord justices of Ireland.

November 2. George marquis of Buckingham, to be lord lieutenant of Ireland.

6. Hon. and rev. Dr. John Harley, to be bishop of Hereford.

— Rev. John Barker, D. D. to the rectory of Waddington, Lincolnshire.

17. Dr. Beilby Porteus, bishop of Chester, to be bishop of London.

27. Charles Runnington, Samuel Marshall, and James Watson, esqrs. to be serjeants at law.

30. Right hon. Alleyne Fitzherbert, a privy counsellor.

December 5. Henry, duke of Beaufort, to be lord lieutenant of Leicestershire.

7. Beilby, bishop of London, a privy counsellor.

8. Beilby, bishop of London, to be dean of the chapels royal.

— Rev. Benjamin Blayney, to be Hebrew professor at Oxford.

— Rev. John Wollecock, to the united lectures of St. Austin and St. Faith, London.

15. Rev. William Longford, D. D. to be prebendary of Windsor.

— Rev. John Plumptre, M. A. to be prebendary of Worcester.

16. Right Hon. Alleyne Fitzherbert, chief secretary to the lord lieutenant, to be a privy counsellor of Ireland.

29. Thomas Millar, of Barskimming, esq. to be president of his majesty's college of justice in Scotland.

— Robert M'Queen, of Braxfield, esq. to be his majesty's justice-clerk in Scotland.

— John Swinton, of Swinton, esq. to be one his majesty's commissioners of justiciary in Scotland.

— John MacLaurin, esq. to be one of the ordinary lords of session in Scotland.

SHERIFFS appointed for 1787.

Berkshire—William Byam Martin, of White Knights, esq.
 Bedfordshire—Joseph Parridge, of Cranfield, esq.
 Bucks—R. Dayrell, of Lillingstone Dayrell, esq.
 Cornwall—Sam. Thomas, of Tregols, esq.
 Cumberland—Thomas Whelpdale, of Skirsgill-Hall, esq.
 Chester—Sir Richard Brooke, of Norton, bart.
 Cambridgeshire and Huntingdonshire—William Camps, of Wilburton, esq.
 Devonshire—J. Quick, of Newton Saint Cyres, esq.
 Dorsetshire—Peter William Baker, of Ranston, esq.
 Derbyshire—Sir Rich. Arkwright, of Cromford.
 Essex—J. Judd, of Chelmsford, esq.
 Gloucestershire—Sam. Richardson, of Newent, esq.
 Herefordshire—R. Cope Hopton, of Cannon Froome, esq.
 Hertfordshire—J. Roper, of Berkhamstead, St. Peter, esq.
 Kent—J. Cotton, of Hill Park, esq.
 Lancashire—William Bamford, of Bamford-Hall, esq.
 Leicestershire—John Goodacre, junior, of Aslby Parva, esq.
 Lincolnshire—Theoph. Buckworth, of Spalding, esq.
 Monmouthshire—Thomas Lewis, of Chepstow, esq.
 Norfolk—Edward Billingsley, of Hockwold with Wilton, esq.
 Northamptonshire—William Walcot, jun. of Oundle, esq.
 Northumberland—Edward Collingwood, of Chirton, esq.
 Nottinghamshire—T. Waterhouse, of Beckenham, esq.
 Oxfordshire—Charles Marfack, of Caversham Park, esq.
 Rutlandshire—George Belgrave, of Ridlington, esq.

Shropshire—Humphry Sandford, of the Isle, esq.
 Somersetshire—Nath. Dalton, of Shanks, esq.
 County of Southampton—Sir Henry Powlett St. John, of Dogmersfield, bart.
 Staffordshire—Thomas Whieldon, of Fenton, esq.
 Suffolk—J. Meadows Theobald, of Henley, esq.
 Surrey—Richard Ladbroke, of Tadworth Court, esq.
 Sussex—Richard Wyatt, of Trimmings, esq.
 Warwickshire—Thomas Mason, of Stratford upon Avon, esq.
 Worcestershire—Richard Harrison, of Temple Langhern, esq.
 Wiltshire—Isaac Webb Horlock, of Ashwick, esq.
 Yorkshire—Francis Ferrand Foljambe, of Aldwork, esq.

S O U T H W A L E S.

Breconshire—John Jones of Llanavawr, esq.
 Cardiganshire—J. Martin, of Alltgoch, esq.
 Carmarthenshire—Hugh Mears, of Llantlephar, esq.
 Glamorganshire—John Price, of Llandaff-court, esq.
 Pembrokehire—James Phillips, of Penty park, esq.
 Radnorshire—John Price, of Penny Bont, esq.

N O R T H W A L E S.

Anglesey—J. Griffith Lewis, of Trysfelwyn, esq.
 Carnarvonshire—John Lloyd, of Gassel Gysfarch, esq.
 Denbighshire—Sir Foster Cunliffe, of Acton, bart.
 Flintshire—P. Yorke, of Maes y Groes, esq.
 Merionethshire—John Jones, of Rhyd y sen, esq.
 Montgomeryshire—Trevor Lloyd, of Llanafan, esq.

PUBLIC PAPERS.

His Majesty's Speech to both Houses of Parliament, Jan. 23, 1787.

My Lords, and Gentlemen,

I HAVE particular satisfaction in acquainting you, that since we last met you in parliament, the tranquillity of Europe has remained uninterrupted, and that all foreign powers continue to express their friendly disposition to this country.

I have concluded a treaty of navigation and commerce with the Most Christian king, a copy of which shall be laid before you. I must recommend it to you to take such measures as you shall judge proper for carrying it into effect; and I trust you will find that the provisions contained in it are calculated for the encouragement of industry, and the extension of lawful commerce in both countries, and, by promoting a beneficial intercourse between our respective subjects, appear likely to give additional permanence to the blessings of peace. I shall keep the same salutary objects in view, in the commercial arrangements which I am negotiating with other powers.

I have also given directions for laying before you a copy of a convention agreed upon between me and the Catholic king, for carrying into effect the sixth article of the last treaty of peace.

Gentlemen of the House of Commons,

I have ordered the estimates for the present year to be laid be-

fore you, and I have the fullest reliance on your readiness to make due provision for the several branches of the public service.

The state of the revenue will, I am persuaded, continue to engage your constant attention, as being essentially connected with the national credit, and the prosperity and safety of my dominions.

My Lords and Gentlemen,

A plan has been formed, by my direction, for transporting a number of convicts, in order to remove the inconvenience which arose from the crowded state of the gaols, in different parts of the kingdom; and you will, I doubt not, take such further measures as may be necessary for this purpose.

I trust you will be able, in this session, to carry into effect regulations for the ease of the merchants, and for simplifying the public accounts, in the various branches of the revenue; and I rely upon the uniform continuance of your exertions in pursuit of such objects as may tend still further to improve the national resources, and to promote and confirm the welfare and happiness of my people.

His Majesty's Speech to both Houses of Parliament, May 30, 1787.

My Lords and Gentlemen,

I cannot close this session of parliament, without expressing my entire approbation of the zeal and assiduity with

with which you have applied yourselves to the important objects which I recommended to your attention, and at the same time returning you my particular thanks for the proofs which you have given of your affection for me, and for my family and government.

The assurances which I receive from foreign powers of their good disposition to this country, and the continuance of the general tranquillity of Europe, afford me great satisfaction; but dissensions unhappily prevail among the states of the United Provinces, which, as a friend and well-wisher to the republic, I cannot see without the most real concern.

Gentlemen of the House of Commons,

The cheerfulness with which you have granted the necessary supplies, and the ample manner in which you have provided for the several establishments, demand my sincerest thanks.

I see with particular satisfaction that you have been able to furnish the sum annually appropriated to the reduction of the national debt, without imposing any new burdens on my people.

My Lords and Gentlemen,

I reflect with peculiar pleasure on the measures which you have taken for enabling me to carry into effect the treaty of Navigation and Commerce with the Most Christian king, and for facilitating the collection and simplifying the accounts of the various branches of the revenue, which I trust will be productive of the most beneficial effects. And I rely upon your using your best endeavours at the same time in

your several counties to carry into effect the measures which have been taken for the prevention of illicit trade, and to promote good order and industry among every class of my subjects.

His Majesty's Speech to both Houses of Parliament, Nov. 27, 1787.

My Lords and Gentlemen,

At the close of the last session I informed you of the concern with which I observed the disputes unhappily subsisting in the republic of the United Provinces.

Their situation soon afterwards became more critical and alarming, and the danger which threatened their constitution and independence seemed likely in its consequence to affect the security and interests of my dominions.

No endeavours were wanting on my part to contribute by my good offices, to the restoration of tranquillity, and the maintenance of the lawful government; and I also thought it necessary to explain my intention of counteracting all forcible interference, on the part of France, in the internal affairs of the republic. Under these circumstances, the king of Prussia having taken measures to enforce his demand of satisfaction for the insult offered to the princess of Orange, the party which had usurped the government of Holland applied to the Most Christian king for assistance, who notified to me his intention of granting their request.

In conformity to the principles which I had before explained, I did not hesitate, on receiving this notification, to declare, that I could not remain a quiet spectator of the armed interference of France; and I gave immediate orders for augmenting

menting my forces both by sea and land.

In the course of these transactions, I also thought proper to conclude a treaty with the landgrave of Hesse Cassel, by which I secured the assistance of a considerable body of troops, in case my service should require it.

In the mean time the rapid success of the Prussian troops, under the conduct of the duke of Brunswick, while it was the means of obtaining the reparation demanded by the king of Prussia, enabled the provinces to deliver themselves from the oppression under which they laboured, and to re-establish their lawful government.

All subjects of contest being thus removed, an amicable explanation took place between me and the Most Christian king; and declarations have been exchanged by our respective ministers, by which we have agreed mutually to disarm, and to place our naval establishments on the same footing as in the beginning of the present year.

It gives me the greatest satisfaction that the important events, which I have communicated to you, have taken place, without disturbing my subjects in the enjoyment of the blessings of peace; and I have great pleasure in acquainting you, that I continue to receive, from all foreign powers, the fullest assurances of their pacific and friendly disposition towards this country. I must, at the same time regret, that the tranquillity of one part of Europe is unhappily interrupted by the war which has broken out between Russia and the Porte.

A convention has been agreed upon between me and the Most Christian king, explanatory of the thirteenth article of the last Treaty of Peace, and calculated to prevent

jealousies and disputes between our respective subjects in the East Indies. I have ordered copies of the several treaties to which I have referred, and of the declaration and counter-declaration exchanged at Versailles, to be laid before you.

Gentlemen of the House of Commons,

I have ordered the estimates for the ensuing year to be laid before you, together with an account of the extraordinary expences which the situation of affairs rendered necessary.

I have the fullest reliance on your zeal and public spirit, that you will make due provision for the several branches of the public service. I am always desirous of confining those expences within the narrowest limits, which a prudent regard for the public safety will permit; but I must, at the same time, recommend to your particular attention to consider of the proper means for maintaining my distant possessions in an adequate posture of defence.

My Lords and Gentlemen,

The flourishing state of the commerce and revenues of this country cannot fail to encourage you in the pursuit of such measures as may confirm and improve so favourable a situation.

These circumstances must also render you peculiarly anxious for the continuation of public tranquillity, which is my constant object to preserve.

I am, at the same time, persuaded you will agree with me in thinking, that nothing can more effectually tend to secure so invaluable a blessing than the zeal and unanimity which were shewn by all ranks

ranks of my subjects on the late occasion, and which manifested their readiness to exert themselves whenever the honour of my crown, and the interests of my dominions, may require it.

The Speech of his Grace Charles Duke of Rutland, Lord Lieutenant of Ireland, to both Houses of Parliament, Jan. 18, 1787.

My Lords and Gentlemen,

I had hoped, that upon the present occasion of meeting you again in parliament, it would have been in my power to have announced to you the entire suppression of those commotions, which in some parts of the kingdom have disturbed the general tranquillity. Under the present circumstances, I am persuaded by my confidence in the accustomed proofs of your wisdom and zeal, that I shall receive from you whatever assistance may be necessary for the more effectual vindication of the laws, and the protection of society. Your uniform regard for the rights of all your fellow-subjects, and your zealous attachment to the religious and civil constitutions of your country, will stimulate your attention to their inseparable interests, and will ensure your especial support of the established church, and the respectable situation of its ministers.

Gentlemen of the House of Commons,

I have directed the proper officers to lay the national accounts before you: and I trust you will make the necessary provisions for the exigencies of the state, and the

honourable support of his majesty's government.

My Lords and Gentlemen,

An act was passed in the last session of the British parliament for the further increase of shipping and navigation. You will, I doubt not, take proper measures to confirm to this country, a full participation of its advantages.

I have the satisfaction to inform you, by the king's command, that his majesty has concluded a treaty of navigation and commerce with the Most Christian king. A copy of this treaty will be laid before you, in which you will not fail to observe the attention which is paid to the interests of this kingdom; and I trust that your adoption of it here, by such laws as may be requisite to give it effect, will be attended with real benefit to the country, by successfully encouraging the efforts of her industry and emulation.

The trade and manufactures, and particularly the linen manufacture of this kingdom; the protestant charter-schools, and other public institutions for charitable purposes, will not fail to engage your constant care and encouragement; and I hope that some liberal and extensive plan for the general improvement of education will be matured for an early execution.

A longer acquaintance with this country strengthens my anxious wishes for its welfare; and I shall experience the most sensible gratification, if in my administration of the king's government, I can, with a success in any degree correspondent to those wishes, accomplish his majesty's earnest desire to promote and secure the happiness and prosperity of Ireland.

The

The Speech of the Right Hon. the Speaker of the House of Commons in Ireland, to his Grace the Lord Lieutenant, March 17, 1787.

May it please your Grace.

The wisdom of the principle which the commons have established and persevered in, under your Grace's auspices, of preventing the further accumulation of national debt, is now powerfully felt throughout the kingdom, in its many beneficial consequences—public credit has gradually risen to a height unknown for many years—agriculture has brought in new supplies of wealth—and the merchants and manufacturers are each encouraged to extend their efforts, by the security it has given them, that no new taxes will obstruct the progress of their works, or impede the success of their speculations.

Such is the happy situation of this kingdom from the support which your Grace's constant and zealous care has given to the operation of that principle; and this situation is peculiarly fortunate at the present period, when his Majesty's gracious attention to the interests of his people has opened new objects of manufacture, and new channels of commerce to their industry.

Happy, however, as our situation is, we know that all its blessings will be a vain expectation, if a spirit of outrage and opposition to law shall prevent internal industry, and depreciate the national character; we have, therefore, applied ourselves to form such laws as must, under the firmness and justice of your Grace's government, effectually and speedily suppress that lawless spirit.

His majesty's faithful commons do now cheerfully continue all the present taxes; and having constantly experienced how well founded their confidence has been in your Grace's prudent administration of the public treasure, they do with the greater satisfaction declare, that they give and grant them in the most decided expectation, that by your Grace's frugal and just management of the public revenue, they will be rendered sufficient to answer the public expence without the further accumulation of debt or increase of taxes.

The Speech of his Grace Charles Duke of Rutland, Lord Lieutenant of Ireland, to both Houses of Parliament, May 28, 1787.

My Lords and Gentlemen,

In relieving you from further attendance in the present session of parliament, I have the satisfaction of signifying to you his Majesty's entire approbation of the wise and vigorous measures by which you have distinguished your zeal for the preservation of the public peace and the tranquillity of the country. My strenuous exertions shall not be wanting to carry your salutary provisions into execution, to assert the just dominion of the law, and to establish the security of property, as well as personal safety, to all descriptions of his Majesty's subjects in this kingdom.

The decided tenor of your conduct assures me of your continued and cordial assistance, and that you will, with your utmost influence, impress upon the minds of the people a full conviction what dangerous effects to the general welfare, and to the growing prosperity of the nation,

nation, arise from the prevalence of even partial or temporary disturbance. Admonish them, that the benevolent but watchful spirit of the legislature, which induces it to encourage industry and exertion, will, at the same time, be awake to the correction of those excesses, which are the inseparable companions of idleness and licentious disorder.

Gentlemen of the House of Commons,

I thank you, in the King's name, for the supplies which you have so cheerfully provided for the support of his Majesty's government. You may depend upon their being faithfully applied to the purposes for which they are granted.

The measures which you have taken for increasing public credit and diminishing the national debt, are consonant to that wisdom and affection to your country which have ever distinguished the Parliament of Ireland.

My Lords and Gentlemen,

A new and powerful incitement to the national industry has been opened by the Treaty of Commerce with France, in which the utmost attention is manifested to the interests of Ireland. The claims of this kingdom to an equal participation in treaties between Great Britain and Portugal, have been acknowledged by the Court of Lisbon. These are decided testimonies of his majesty's paternal regard, and fresh confirmations of his gracious resolution to consider the interest of Great Britain and Ireland as inseparable: a principle which, by uniting the faculties and affections of the empire, gives strength and security to every part

of it; a principle which, with your accustomed wisdom, you have still further corroborated by the late arrangement of your laws of navigation.

The loyalty and attachment of his faithful people of Ireland are highly grateful to the King, and by his majesty's express command I am to assure you of his most gracious and affectionate protection.

To fulfil my sovereign's pleasure, which constantly directs me to study the true happiness of this kingdom, is the great and settled object of my ambition; and upon this basis I shall hope to have established a permanent claim to your good opinion, and to the confidence and regard of the people of Ireland.

By the KING.

A PROCLAMATION.

For the Encouragement of Piety and Virtue, and for the preventing and punishing of Vice, Profaneness, and Immorality.

GEORGE R.

WHEREAS we cannot but observe, with inexpressible concern, the rapid progress of impiety and licentiousness, and that deluge of profaneness, immorality, and every kind of vice, which, to the scandal of our holy religion, and to the evil example of our loving subjects, hath broken in upon this nation; we therefore esteeming it our indispensable duty to exert the authority committed to us for the suppression of these spreading evils, fearing lest they should provoke God's wrath and indignation against us, and humbly acknowledging that we cannot expect the blessing and goodness of Almighty God, (by whom kings reign, and on which

which we entirely rely) to make our reign happy and prosperous to ourself and our people, without a religious observance of God's holy laws, to the intent that religion, piety, and good manners may (according to our most hearty desire) flourish and increase under our administration and government, have thought fit, by the advice of our privy council, to issue this our royal proclamation, and do hereby declare our royal purpose and resolution to discountenance and punish all manner of vice, profaneness and immorality, in all persons, of whatsoever degree or quality, within this our realm, and particularly in such as are employed near our royal person; and that, for the encouragement of religion and morality, we will, upon all occasions, distinguish persons of piety and virtue by marks of our royal favour. And we do expect and require that all persons of honour, or in place of authority, will give good example by their own piety and virtue, and to their utmost contribute to the discountenancing persons of dissolute and debauched lives, that they being reduced by that means to shame and contempt for their loose and evil actions and behaviour, may be thereby also enforced the sooner to reform their ill habits and practices, and that the visible displeasure of good men towards them, may (as far as it is possible) supply what the laws (probably) cannot altogether prevent. And we do hereby strictly enjoin and prohibit all our loving subjects, of what degree or quality soever, from playing on the Lord's day at dice, cards, or any other game whatsoever, either in public or private houses, or other place or places whatsoever; and we do hereby require and command them,

and every of them, decently and reverently to attend the worship of God on the Lord's day, on pain of our highest displeasure, and of being proceeded against, with the utmost rigour that may be, by law. And for the more effectual reforming all such persons who, by reason of their dissolute lives and conversation, are a scandal to our kingdom, our further pleasure is, and we do hereby strictly charge and command all our judges, mayors, sheriffs, justices of the peace, and all other our officers and ministers, both ecclesiastical and civil, and all other our subjects, to be very vigilant and strict in the discovery, and the effectual prosecution and punishment of all persons who shall be guilty of excessive drinking, blasphemy, profane swearing and cursing, lewdness, profanation of the Lord's day, or other dissolute, immoral, or disorderly practices; and that they take care also effectually to suppress all public gaming houses, and other loose and disorderly houses; and also all unlicensed public shows, interludes, and places of entertainment, using the utmost caution in licensing the same; also to suppress all loose and licentious prints, books and publications, dispersing poison to the minds of the young and unwary, and to punish the publishers and venders thereof; and to put in execution the statute made in the 29th year of the reign of the late king Charles II. intitled, "An act for the better observation of the Lord's day, commonly called Sunday;" and also an act of parliament made in the 9th year of the reign of the late king William III. intitled, "An act for the more effectual suppressing of blasphemy and profaneness;" and also an act passed in the 21st year of our reign, intitled,

titled, "An act for preventing certain abuses and profanations on the Lord's day, called Sunday," and all other laws now in force for the punishing and suppressing any of the vices aforesaid; and also to suppress and prevent all gaming whatsoever in public or private houses on the Lord's day; and likewise that they take effectual care to prevent all persons keeping taverns, chocolate-houses, coffee-houses, or other public-houses whatsoever, from selling wine, chocolate, coffee, ale, beer, or other liquors, or receiving or permitting guests to be or remain in such their houses, in the time of divine service on the Lord's day, as they will answer it to Almighty God, and upon pain of our highest displeasure. And for the more effectual proceeding herein, we do hereby direct and command all our judges of assize, and justices of the peace, to give strict charge. at their respective assizes and sessions, for the due prosecution and punishment of all persons that shall presume to offend in any of the kinds aforesaid, and also of all persons that, contrary to their duty, shall be remiss or negligent in putting the said laws in execution: and that they do, at their respective assizes and quarter-sessions of the peace, cause this our royal proclamation to be publicly read in open court immediately before the charge is given. And we do hereby further charge and command every minister, in his respective parish church or chapel, to read, or cause to be read, this our proclamation, at least four times in every year, immediately after divine service; and to incite and stir up their respective auditors to the practice of piety and virtue, and the avoiding of all immorality and profaneness. And to the end that all vice

and debauchery may be prevented, and religion and virtue practised by all officers, private soldiers, mariners, and others, who are employed in our service by sea and land, we do hereby strictly charge and command all our commanders and officers whatsoever, that they do take care to avoid all profaneness, debauchery, and other immoralities, and that, by their own good and virtuous lives and conversation, they do set good examples to all such as are under their care and authority, and likewise take care of and inspect the behaviour of all such as are under them, and punish all those who shall be guilty of any of the offences aforesaid, as they will be answerable for the consequences of their neglect herein.

Given at our Court at St. James's, the 1st day of June 1787, in the 27th year of our Reign.

G O D save the K I N G.

Circular Letter from the Right Hon. Lord Sydney, one of his Majesty's Principal Secretaries of State, to the several High Sheriffs of England, inclosing the foregoing Proclamation.

Whitehall, June 23, 1787.

S I R,

In consequence of the depredations which have been committed in every part of the kingdom, and which have of late been carried to such an extent as to be even a disgrace to a civilized nation, his majesty has thought it expedient again to issue his royal proclamation, directing the strict execution of the laws which have been made, and are still in force, against the profanation of the Lord's day, drunkenness,

ness, swearing, and cursing, and other disorderly practices.

I transmit to you herewith six copies of the said proclamation; and I am commanded to signify to you his majesty's pleasure, that you do take the most early opportunity of convening the magistrates within your county, and enjoining them, in the strongest terms, to pursue the most effectual methods for putting the laws in execution, and for encouraging all officers and persons to exert their utmost diligence in their several stations, for the prevention of such dangerous offences.

The inattention which seems of late to have been shewn in granting licences to public-houses, and other places of entertainment, without paying the least regard to their situation, or even the characters of the persons who undertake their management, is, amongst others, a matter which requires an immediate consideration, not only for remedying the evil upon future occasions, but for diminishing the number of those public-houses which do not evidently appear to be calculated for public utility and convenience.

I am persuaded, that I need not call upon you for your active assistance in the pursuit of measures so evidently calculated for the public good, as you must be convinced that the exertions of all persons in authority are now become absolutely and indispensably necessary, even for the preservation of the lives and properties of his majesty's subjects.

I am, Sir,
Your most obedient,
humble Servant,

SYDNEY.

1787.

Convention between his Britannic Majesty and the Most Christian King, Signed at Versailles, the 15th of January, 1787.

THE king of Great Britain, and the Most Christian king, being willing, in conformity to the 6th and 43d articles of the Treaty of Navigation and Commerce, signed at Versailles the 26th of September, 1786, to explain and settle certain points which had been reserved, their Britannic and Most Christian majesties, always disposed more particularly to confirm the good understanding in which they are happily united, have named, for that purpose, their respective plenipotentiaries, to wit, on the part of his Britannic majesty, William Eden, esq. privy-counsellor in Great-Britain and Ireland, member of the British parliament, and his envoy extraordinary and minister plenipotentiary to his Most Christian majesty; and on the part of his Most Christian majesty, the count de Vergennes, minister and secretary of state for the department of foreign affairs, and chief of the royal council of finances; who, after having communicated to each other their respective full powers, have agreed upon the following articles.

ARTICLE I.

Their majesties having stipulated, in the 6th article of the said treaty, "That the duties on hardware, cutlery, cabinet ware and turnery, and on all works, both heavy and light, of iron, steel, copper, and brass, shall be classed; and that the highest duty shall not exceed ten per cent. *ad valorem*," it is agreed, that cabinet ware and turnery, and every thing that is included under those denominations,

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as also musical instruments, shall pay ten per cent. *ad valorem*.

All articles made of iron or steel, pure or mixed, or worked or mounted with other substances, not exceeding in value sixty *livres tournois*, or fifty shillings per quintal, shall pay only five per cent. *ad valorem*; and all other wares, as buttons, buckles, knives, scissars, and all the different articles included under the description of hardware and cutlery, as also all other works of iron, steel, copper and brass, pure or mixed, or worked or mounted with other substances, shall pay ten per cent. *ad valorem*.

If either of the two sovereigns should think proper to admit the said articles, or only some of them, from any other nation, by reason of their utility, at a lower duty, the subjects of the other sovereign shall be allowed to participate in such diminution, in order that no foreign nation may enjoy in this respect any preference to their disadvantage.

The works of iron, steel, copper and brass above mentioned, are not to be understood to extend to bar iron or pig iron, or in general to any kind of iron, steel, copper or brass in the state of the raw material.

ARTICLE II.

Their majesties having also stipulated, in the 6th article, "That for the better securing the due collection of the duties payable *ad valorem*, which are specified in the tariff, they will concert with each other the form of the Declarations to be made, and the proper means of preventing fraud with respect to the real value of the goods and merchandizes," it is agreed that each Declaration shall be given in

writing, signed by the merchant, owner, or factor, who answers for the merchandizes at their entry; which Declaration shall contain an exact list of the said merchandizes, and of their packages, of the marks, numbers and cyphers, and of the contents of each bale or case, and shall certify that they are of the growth, produce, or manufacture of the kingdom from whence they are imported, and shall also express the true and real value of the said merchandizes, in order that the duties may be paid in consequence thereof. That the officers of the custom-house, where the Declaration may be made, shall be at liberty to make such examination as they shall think proper of the said merchandizes, upon their being landed, not only for the purpose of verifying the facts alledged in the said Declaration, that the merchandizes are of the produce of the country therein mentioned, and that the statement of their value and quantity is exact, but also for that of preventing the clandestine introduction of other merchandizes in the same bales or cases: provided nevertheless that such examinations shall be made with every possible attention to the convenience of the traders, and to the preservation of the said merchandizes.

In case the officers of the customs should not be satisfied with the valuation made of the merchandizes in the said Declaration, they shall be at liberty, with the consent of the principal officer of the customs at the port, or of such other officer as shall be appointed for that purpose, to take the said merchandizes according to the valuation made by the Declaration, allowing to the merchant or owner an overplus of ten per cent. and refunding to him the

the duties he may have paid for the said merchandizes. In which case, the whole amount shall be paid without delay, by the custom-house of the port, if the value of the effects in question shall not exceed four hundred and eighty *livres Tournois*, or twenty pounds sterling; and within fifteen days, at latest, if their value shall exceed that sum.

And if doubts should happen to arise, either respecting the value of the said merchandizes, or the country of which they are the produce, the officers of the customs at the port shall come to a determination thereupon, with all possible dispatch, and no greater space of time shall be employed for that purpose, in any case, than eight days, in the ports where the officers who have the principal direction of the customs reside, and fifteen days in any other port whatsoever.

It is supposed and understood, that the merchandizes admitted by the present treaty, shall be respectively of the growth, produce, or manufacture of the dominions of the two sovereigns in Europe.

To oblige the traders to be accurate in the Declarations required by the present article, as also to prevent any doubt that might arise on that part of the tenth article of the said treaty, which provides, that if any of the effects are omitted in the Declaration delivered by the master of the ship, they shall not be liable to confiscation, unless there be a manifest appearance of fraud; it is understood, that in such case, the said effects shall be confiscated, unless satisfactory proof be given to the officers of the customs that there was not any intention of fraud.

ARTICLE III.

In order to prevent the introduction of callicoes manufactured in the East Indies, or in other countries, as if they had been manufactured in the respective dominions of the two sovereigns in Europe, it is agreed, that the callicoes manufactured in the said dominions, for exportation from one country to the other respectively, shall have at the two ends of each piece a particular mark, woven in the piece, to be settled in concert by the two governments, of which mark the respective governments shall give nine months previous notice to the manufacturers; and the said mark shall be altered from time to time, as the case may require. It is further agreed, that until the said precaution can be put in execution, the said callicoes mutually exported shall be accompanied by a certificate of the officers of the customs, or of such other officer as shall be appointed for that purpose, declaring that they were fabricated in the country from whence they were exported, and also that they are furnished with the marks already prescribed in the respective countries, to distinguish such callicoes from those which come from other countries.

ARTICLE IV.

In settling the duties upon cambricks and lawns, it is understood that the breadth should not exceed, for the cambricks, seven-eighths of a yard, English measure, (about three-quarters of an ell of France), and for the lawns, one yard and a quarter, English measure (one ell of France), and if any shall hereafter be made of a greater breadth than what is above mentioned, they

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shall pay a duty of ten per cent. *ad valorem*.

ARTICLE V.

It is also agreed, that the stipulations in the 18th article of the treaty shall not be construed to derogate from the privileges, regulations, and usages already established in the cities or ports of the respective dominions of the two sovereigns: and further, that the 25th article of the said treaty shall be construed to relate only to ships suspected of carrying, in time of war, to the enemies of either of the high contracting parties, any prohibited articles, denominated contraband; and the said article is not to hinder the examinations of the officers of the customs, for the purpose of preventing illicit trade in the respective dominions.

ARTICLE VI.

Their majesties having stipulated, by the 43d article of the said treaty, that the nature and extent of the functions of the consuls should be determined, "and that a convention relative to this point should be concluded immediately after the signature of the present treaty, of which it should be deemed to constitute a part," it is agreed that the said ulterior convention shall be settled within the space of two months, and that, in the mean time, the consuls-general, consuls, and vice-consuls, shall conform to the usages which are now observed, relative to the consulship, in the respective dominions of the two sovereigns; and that they shall enjoy all the privileges, rights and immunities belonging to their office, and which are allowed to the consuls general, consuls, and vice-consuls, of the most favoured nation.

ARTICLE VII.

It shall be lawful for the subjects of his Britannic majesty to prosecute their debtors in France, for the recovery of debts contracted in the dominions of his said majesty, or elsewhere, in Europe, and there to bring actions against them, in conformity to the practice of law in use in the kingdom: provided that there shall be the like usage in favour of French subjects, in the European dominions of his Britannic majesty.

ARTICLE VIII.

The articles of the present convention shall be ratified and confirmed by his Britannic majesty, and by his Most Christian majesty, in one month, or sooner, if it can be done, after the exchange of signatures between the plenipotentiaries.

In witness whereof, we the ministers plenipotentiary have signed the present convention, and have caused the seals of our arms to be set thereto.

Done at Versailles the fifteenth of January, one thousand seven hundred and eighty-seven.

WM. EDEN. (L.S.)
GRAVIER DE VERGENNES.
(L.S.)

Convention between his Britannic Majesty and the Most Christian King. Signed at Versailles, Aug. 31, 1787.

Difficulties having arisen in the East-Indies, relative to the meaning and extent of the thirteenth article of the treaty of peace, signed at Versailles Sept. 3, 1783; his Britannic

tannic majesty and his Most Christian majesty, with a view to remove every cause of dispute between their respective subjects in that part of the world, have thought proper to make a particular convention, which may serve as an explanation of the thirteenth article above mentioned. In this view, their said majesties have named for their respective plenipotentiaries, to wit, on the part of his Britannic majesty, William Eden, Esq; privy counsellor in Great Britain and Ireland, member of the British parliament, and his envoy extraordinary and minister plenipotentiary to his Most Christian majesty; and, on the part his Most Christian majesty, the Sieur Armand Mark, Count de Montmorin de St. Herem, marshal of his camps and forces, counsellor in all his councils, knight of his order and of the golden fleece, minister and secretary of state, and of his commands and finances, having the department of foreign affairs; who, after having communicated to each other their respective full powers, have agreed upon the following articles:

I. His Britannic majesty again engages, "to take such measures as shall be in his power, for securing to the subjects of France a safe, free, and independent trade, such as was carried on by the French East-India company," and as it explained in the following articles, "whether they exercise it individually, or as a company;" as well in the nabobship of Arcot, and the countries of Madura and Tanjoir, as in the provinces of Bengal, Bahar, and Oriza, in the northern circars, and in general in all the British possessions on the coast of Oriza, Coromandel, and Malabar.

II. In order to prevent all abuses

and disputes relative to the importation of salt, it is agreed that the French shall not import annually into Bengal more than two hundred thousand maunds of salt: the said salt shall be delivered at a place of deposit appointed for that purpose by the government of Bengal, and to officers of the said government, at the fixed price of one hundred and twenty rupees for every hundred maunds.

III. There shall be delivered annually for the French commerce, upon the demand of the French agent in Bengal, eighteen thousand maunds of saltpetre, and three hundred chests of opium, at the price established before the late war.

IV. The six ancient factories, namely, Chandernagore, Cossimbuzar, Decca, Jugdea, Balasore, and Patna, with the territories belonging to the said factories, shall be under the protection of the French flag, and subject to the French jurisdiction.

V. France shall also have possession of the ancient houses of Soopore, Keerpoy, Cannicole, Mohumpore, Serampore, and Chittagong; as well as the dependencies on Soopore, viz. Gantjurat, Alsende, Chintzabad, Patorcha, Monopore and Dolobody; and shall further have the faculty of establishing new houses of commerce; but none of the said houses shall have any jurisdiction, or any exemption from the ordinary justice of the country exercised over British subjects.

VI. His Britannic majesty engages to take measures to secure French subjects, without the limits of the ancient factories above mentioned, an exact and impartial administration of justice in all matters concerning their persons or properties, or the carrying on their trade,

in the same manner and as effectually as to his own subjects.

VII. All Europeans as well as natives, against whom judicial proceeding shall be instituted, within the limits of the ancient factories above mentioned, for offences committed, or debts contracted, within the said limits, and who shall take refuge out of the same, shall be delivered up to the chiefs of the said factories; and all Europeans, or others whatsoever, against whom judicial proceedings shall be instituted, within the said limits, and who shall take refuge within the same, shall be delivered up by the chiefs of the said factories, upon demand being made of them by the governor of the country.

VIII. All the subjects of either nations respectively, who shall take refuge within the factories of the other shall be delivered up on each side, upon demand being made of them.

IX. The factory of Yanam, with its dependencies, having, in pursuance of the said treaty of peace, been delivered up by Mr. William Hamilton, on the part of his Britannic majesty, to Mr. Peter Paul Martin, on the part of his Most Christian majesty, the restitution thereof is confirmed by the present convention, in the terms of the instrument bearing date the seventh of March, one thousand seven hundred and eighty five, and signed by Mess. Hamilton and Martin.

X. The present convention shall be ratified and confirmed in the space of three months, or sooner if it can be done, after the exchange of signatures between the plenipotentiaries.

In witness whereof we, ministers plenipotentiary, have signed the present convention, and have caused

the seals of our arms to be affixed thereto.

Done at Versailles, Aug. 31,
1787.

WM. EDEN, (L. S.)
LE CTE. DE MONT-
MORIN, (L.S.)

*Declaration and Counter Declaration
exchanged at Versailles, between the
Ministers of his Britannic Majesty
and the Most Christian King, Oct.
27, 1787.*

DECLARATION.

The events which have taken place in the republic of the United Provinces appearing no longer to leave any subject of discussion, and still less of contest, between the two courts; the undersigned are authorized to ask, whether it is the intention of his Most Christian majesty to carry into effect the notification made on the 16th of September last, by his Most Christian majesty's minister plenipotentiary, which, by announcing that succours would be given in Holland, has occasioned the naval armaments on the part of his majesty; which armaments have become reciprocal.

If the court of Versailles is disposed to explain itself upon this subject, and upon the conduct to be adopted towards the republic, in a manner conformable to the desire which has been expressed on both sides, to preserve the good understanding between the two courts; and it being also understood, at the same time, that there is no view of hostility towards any quarter, in consequence of what has passed; his majesty, always anxious to concur in the friendly sentiments of his Most Christian majesty, would agree with him, that

that the armaments, and in general all warlike preparations, should be discontinued on each side, and that the navies of the two nations should be again placed upon the footing of the peace establishment, as it stood on the first of January of the present year.

Verfailles, the 27th of October, 1787.

DORSET.
WM. EDEN.

COUNTER DECLARATION.

The intention of his majesty not being, and never having been, to interfere by force in the affairs of the republic of the United Provinces; the communication made to the court of London on the 16th of last month, by Mons. Barthelemy, having had no other object than to announce to that court an intention, the motives of which no longer exist, especially since the king of Prussia has imparted his resolution; his majesty makes no difficulty to declare, that he will not give any effect to the declaration above mentioned; and that he retains no hostile view towards any quarter relative to what has passed in Holland. His majesty, therefore, being desirous to concur with the sentiments of his Britannic majesty for the preservation of the good harmony between the two courts, agrees with pleasure with his Britannic majesty, that the armaments, and in general all warlike preparations, shall be discontinued on each side; and that the navies of the two nations shall be again placed upon the footing of the peace establishment, as it stood on the first of January of the present year.

Verfailles, the 27th of October, 1787.

LE CTE. DE MONTMORIN.

In consequence of the declaration and counter declaration exchanged this day, the under-signed, in the name of their respective sovereigns, agree, that the armaments, and in general all warlike preparations, shall be discontinued on each side; and that the navies of the two nations shall be again placed upon the footing of the peace establishment, as it stood on the first of January of the present year.

Verfailles, the 27th of October, 1787.

DORSET. LE CTE. DE MONT-
WM. EDEN. MORIN.

[An instrument of a similar tenor was also signed and exchanged between the Comte de Montmorin and the Prussian envoy.]

Remonstrance of the Parliament of Paris to the King, against the Declaration of a Stamp Duty, July 24, 1787.

A most respectful address, fire, together with the just alarms of the nation, has been humbly laid at the foot of the throne, by your majesty's most dutiful and faithful parliament. The bare proposal of a duty on paper has alarmed every individual. After a glorious peace of five years, and a progressive increase of at least 130 millions of livres in 13 years, it seems as if the name of impost were never to come out of a beneficent monarch's mouth, except in rendering it less onerous, or diminishing the number of those already existing. What was our surprize then, fire, when we were told that new taxes were projecting by the notables; and that a new one, of a most distressing kind, was to be offered for the approbation of parliament!

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The first reflection that naturally occurs at the very mention of a new duty, is to enquire into the actual state of the finances. What an administration must the last have been, if the evils that resulted from it require such a desperate remedy! Your majesty must remember how we strove, in 1784 and 1785, to give you a faithful picture of the real situation of the state; which seemed then (or your ministry endeavoured to make it appear so) as if inclined to take a turn for the best; but the truth was, that the state was more involved in difficulties than ever. Your parliament then, sire, did every thing in their power, but in vain, to set truth in its clearest light; some of your ministers had too great interest not to conceal it from your majesty; all our humble remonstrances proved useless; and there were some of your council who went so far as to make you suspect the purity of our patriotic intentions: the terrible situation of affairs, however, required a speedy and efficacious remedy. The notables, assembled by your majesty's orders, have withdrawn the veil that covered that undermining administration: a dreadful spectacle presented itself to the eye of the astonished nation; an immense deficiency was very visible in the treasury; and every body hastened to propose the means of filling it up, and affording a speedy remedy. How grievous to your majesty's paternal heart must such a discovery have been! How must your astonishment and sorrow have increased, when you reflected on the fatal errors, in which your ministers had long and purposely kept you!

Such is the consequence, sire, when the choice of ministers falls on persons that are obnoxious to

the nation in general: such is the great, but sad example, that teaches monarchs how far they must respect the public opinion, seldom susceptible of error, because men united together rarely give or receive an impression contrary to truth. In point of administration, sire, the purest hands are hardly pure enough. A first condescension, or rather a first wrong step, leads to a second: no bounds can circumscribe the imprudent minister when once he swerves from his duty; successive abuses produce an utter confusion, and a fatal disorder; the deep wounds fixed in the constitution demand a remedy; and this, even when certain, will effect but a slow cure.

O let your majesty deign to pause awhile on one of these salutary reflections, the importance of which has been acknowledged by all good monarchs.—Evil may happen in a single instant, but whole years are scarce sufficient to repair the mischief it causes. The vices of an administration, or, which is the inevitable effect of them, the involuntary error of a just monarch, will sorely distress whole generations.

It is not your parliament's intention, sire, to grieve your majesty's most sensible heart by expatiating at present on so affecting a subject, and recalling so unpleasant a thought; but they take the liberty of humbly entreating your majesty to weigh often these important reflections, in some of those moments when you are meditating in silence on the welfare and happiness of your subjects. It behoves now your parliament to enter, with a noble freedom, upon a subject proposed by your majesty yourself; we mean the projected retrenchments and economical schemes.

We earnestly entreat you, sire, to be on your guard against the emotions and propensities of your tender heart, in order that the œconomy already begun may continue, and those reforms adopted and settled be of constant duration. When a pure and enlightened administration endeavours to establish certain principles of œconomy, it generally meets with some ancient customs that seem to have been long attached to the constitution, and to enjoy the right of prescription. If the minister acts with firmness, he is immediately blamed for his imprudence; if with precaution, the world will censure his weakness: what difficulties will not then in such a case surround the monarch, and be incessantly multiplying about him! Courtiers will publicly approve of, nay applaud, the projected reforms; but in secret they will try to weaken, and even prevent their effect; all means will be employed to deceive him; it is then that art, address, and finesse, appear in a thousand different forms, actuated by the most imperious of all motives, personal interest: the sovereign, thus beset, and attacked on every side by claims, suits, petitions, &c. is forced to listen to importunate clamours, and through the goodness of his heart often grants what could never be obtained through his justice.

The moment the word œconomy is mentioned, it echoes through the room; the cunning courtier apparently adopts the plan, and wishes to be numbered among the great characters of the nation, whose example he affects to imitate; but he calculates at the same time how long the œconomical reform may subsist, and how he may render abortive the retrenchments that diminish either his credit or his reve-

nues: all expences but his own seem susceptible of diminution: in a vast administration, the weakest pretexts are easily tinged with the colouring of reason; and that œconomy which has been so often courted, and always expected, appears and disappears in an instant, leaving a black cloud over the beautiful countenance of truth, which some faint rays had begun to render conspicuous.

These reflections, sire, written in the annals of every nation, are the faithful history of the human heart: never could the meditation on them be more interesting to your majesty than at present, for the application suits exactly to the urgent circumstances of the times. The more vigour and firmness your majesty will shew for the intended reforms, and salutary resolutions, the more difficulties and obstacles will certainly impede the way; and experience may perhaps have already proved, that the persons interested in these œconomical views begin to hint as if the proposed sums were equivocal and precarious, and the deductions agreed upon incompatible with old customs, and unlikely to last a long time.

It is in your majesty's power to enforce, with a laudable perseverance, the order that must establish with permanency this indispensable reform. Every thing should undergo the strictest enquiry. Your majesty's justice, which is to us the surest and most sacred pledge, emboldens your parliament to lay before you, without danger of incurring your royal displeasure, some of those remarks and observations that must naturally have occurred to you. Had you known, sire, the real state of your finances, no doubt you would not have undertaken those immense edifices that
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are new building, nor made so many acquisitions onerous to the state; you would not have permitted so many exchanges of the crown lands, nor granted those excessive liberalities that the importunate and intriguing are always sure of obtaining. The facility of obtaining money from the treasury (the fatal bane of all administrations) would never have been suffered to increase, for it exposes every moment the sovereign to some dangerous surprize; it squanders secretly the public revenue, and can never over-balance, with its pretended utility, the great inconveniences always attending it. Your majesty would certainly never have consented to have Paris surrounded by such a magnificent wall; to see palaces* erected for your excise-officers at an exorbitant expence, in order to coincide with the views of the farmers-general, who, in expectation of a precarious and distant gain, expend annually those sums that should be appropriated to wants of more real necessity.

All these objects, sire, and many others, the enumeration of which would astonish, are susceptible of amendment; some require a considerable diminution; others an entire suppression. But it is not the total only of each department that should be properly diminished; every part of it should be scrupulously examined, and divested of all its superfluous charges; it should be reduced to the simple and absolutely necessary expence: in so doing, your majesty might easily double the intended reform of the forty millions of livres, and this might then prove a real relief to your suffering subjects.

There are honourable oeconomies, sire, that, far from diminishing the splendour of a throne, add lustre and dignity to it. Majesty itself may submit to privations. The sovereign is always great when his subjects are happy; and the sight of happiness spread over a whole people is so pompous and brilliant, that it commands public admiration and universal applause.

These diminutions, suppressions, reforms, and oeconomies, so often solicited by your parliaments, demanded by the notables, and promised to their spirited and just perseverance, are wished for and expected every day by the unhappy husbandman, whose tears bedew the very field that contributes to so many useless expences before it has furnished the necessary subsistence to the person who sowed it, for the subsistence of himself and family, and who, deprived of the common necessaries, is forced to take from his poverty itself, wherewith to furnish to the exigencies of the state.

These unhappy beings, sire, Frenchmen by birth, and men, have a double right to enjoy their sacred property even in the bosom of indigence; but as they cannot claim it themselves at your majesty's feet, let their claims and their rights be ever present before you; let their complaints find their way to the throne, and reach your royal person; let them hear your gracious answer, and let them know that your majesty's goodness and justice are the surest supporters they can hope to find near the throne.

The French never consult any interest inseparable from the throne; they are always biassed by their

* At every *barrière* (turnpike) there are two beautiful mansions, in the form of lodges, adorned with pillars, pilasters, medallions, &c.

sincere attachment to their monarch; in their fervent zeal and enthusiastic emotions for the royal cause, they have been capable of the greatest sacrifices; and they may fancy the ways and means of the nation as unbounded as their affection. These ways and means, therefore, must be carefully managed and used at proper times. It should be likewise considered, that the contributions proceeding from the imposts granted to the monarch are only intended as subsidies to the state, and that the sovereign is but the distributor of whatever is not employed for the public weal, which naturally belongs to those who co-operated in levying the contributions; and, if they are diverted from their chief and primitive intent, their fertile source will soon become insufficient, and, in a short time, exhausted; particularly if the expences increase in proportion to the receipt.

All kinds of imposts should be proportioned to the necessary wants of the nation, and end with them. Each citizen contributes part of his property, for the sake of maintaining public safety and private tranquillity. The people, on such principles, founded on the rights of mankind, and confirmed by reason, should never increase their contributions but when the expences of the state have undergone all the savings, alterations, and retrenchments, they are capable of. It is for this reason, therefore, that your parliament, sir, look upon the duty on stamped paper as entirely opposite to these primitive notions. It would affect the private tranquillity, by necessarily opening a way to errors, and thereby would prove far more dangerous than the *gabelle* [duty on salt, a kind of excise], which was, as has

been seen, liable to open frauds. The most exact and habitual attention could hardly be sufficient to distinguish the numberless stamped papers that are to serve for each respective act of justice or common transaction.

What mistakes will not the greatest part of your subjects be liable to, by interchanging these papers, and making use of the one for the other! Many writings, by such involuntary faults, may appear counterfeited in the eye of justice; and the unwary individual will find himself daily exposed to pay exorbitant fines, or to encounter disagreeable and heavy suits at law.

Such a duty, sir, is likewise incompatible with public safety, as it would deeply wound mutual confidence, which is the sure foundation of it. Individuals would be afraid of producing unstamped bills or notes before a tribunal; and in this age, where there are such frequent instances of persons taking all sorts of advantages, and commencing or prolonging vexatious and never-ending suits, a wise legislator should be very careful not to introduce new subjects of chicanery. Besides, our public trust, sir, and our national dignity, absolutely forbid the introduction of such a dangerous duty.

The moment a declaration is issued, which is generally vicious in almost all its dispositions, a seducing facility of extending its meaning or duration offers itself, and pretences are not wanting for imposing plausibly on the public. Experience furnishes us with too many examples. The two sous and the eight sous per livre for instance, the second warrant for the poll-tax, and so many other inventions, which the fertile genius of finances has imagined, and is never at a loss to find

find to over-charge the subjects, are but a continuation and extension of a duty, simple in its origin; and such an extension, first, is often divested of any legal authority, and only collected in virtue of the minister's mandate. Without mentioning, first, the multiplicity of marks, precautions, and fines, annexed to and attending the duty on stamped paper, it is certain that it would cause a delay in public and private business, and obstruct the common daily transactions. All delay is dangerous, and all obstruction must produce a delay. A bill of exchange, improperly stamped, would be liable to a fine; the fine must be paid immediately by the possessor of the bill; he therefore would be obliged to advance the sum for the fine, pay instead of receiving, and be out of his money till the expiration of his unlucky bill. He would be a sufferer for other persons' faults, and such faults might be renewed several times in one and the same day, in the very same hour; his payments must be affected by it, and his credit called in question. Thence mistrust and doubts will necessarily arise; and you know, first, that there subsists a kind of chain in the course of exchanges, that strongly binds all the commercial parts of mankind in the known world. Our trading towns would lose, in the eyes of a foreigner, that level or advantage they were wont to enjoy. In short, were not such a duty extremely onerous in itself, its unlimited duration must cause a general alarm. We have often seen taxes, limited till such a time, prolonged even after the intention of the supply had been amply fulfilled; but we did not expect to see one that is to last perpetually, at the very time

when a certain period was mentioned for diminishing the national debt.

Lewis XIV. established the poll-tax in 1695, and the tenth in 1710. The misfortunes and heavy losses sustained towards the latter end of his reign, and the invasion of the kingdom, made him attempt a step, the success of which he very much doubted in his own mind. That great monarch, finding himself obliged to lay such a duty, seemed to have been doubtful whether he had a right to lay it; and if parliament then thought it their duty to have it registered, it was because the contribution was to last but a short time; it was chiefly because the exigencies of the state seemed to require a speedy redress; had it not been for these substantial reasons, first, Lewis XIV. would have owned, "that it was the nation alone, re-united in the three general states, that can give the necessary consent for establishing a perpetual tax—that parliament were never invested with such a power, and that, charged by the sovereign to announce his will to the people, they had never been charged by the people to represent them so implicitly."

This is what your respectful parliament takes now the liberty of mentioning to your majesty; and, penetrated with this truth, alarmed at the enormous deficiency, and struck with the deplorable disorders that have produced it, and might render it perpetual, they wish very much to see the whole nation assembled, before they register any new impost. The nation alone thus assembled, and instructed in the true state of the finances, may extirpate the great abuses that are existing at present, and offer great resources to obviate them in future.

"Tis.

'Tis for you, sire, that the honour was reserved of renewing those national assemblies which render the reign of Charlemagne so great and illustrious; assemblies that repaired all king John's disastrous calamities, and concurred with parliament to re-establish Charles VII. on the throne. All the world is convinced now of the truth of this maxim—that *mystery generally accompanies mistrust and weakness—that the greater authority is, the more confidence and candour it should inspire—and that entrusting the provincial assemblies with part of the administration, instead of weakening it, would enlighten and render it more active.* Your notables, sire, so wisely selected by your majesty, have assisted the throne with their counsels, and unveiled the long hidden countenance of truth, which you were determined to see. How happy are now the members of this assembly in presenting you, sire, with the effusions of that truth they strongly feel in their hearts! *The monarch of France can never be so great as when surrounded by his happy subjects: he has nothing to fear but the excess of their attachment: he has no other precaution to take but to be upon his guard against issuing orders that may be beyond their power to accomplish.* By a perfect union between the sovereign and the people, each party will be the gainer; and a monarch can never err in following the steps of the hero of the second race, who forced from the unanimous lips of admiring Europe the name of Great, which he certainly deserved by protecting justice and his people with the same arm that struck terror to his enemies; nor those of a Charles V. whom posterity, the impartial judge of kings, has dignified with the title of Wise; nor those of Lewis

XII. who in one of those assemblies had the sweet satisfaction of hearing himself proclaimed the Father of his People; nor those in short of Henry IV. whose name, still so cherished by the French, is an honour to humanity, and daily receives from our grateful hearts a copious tribute of tears.

Your parliament, sire, waiting with impatience for the happy and wished-for moment, when a just monarch will deign to spread his benign influence over a faithful nation, and grant their requests, most respectfully intreat your majesty to recall and annul the declaration of the stamp-duty, as altogether incompatible with the present situation of affairs; a duty, that, were it to be enforced, would cause universal discontent and sorrow to all the nation, and the name only of which has already spread a general alarm through the kingdom.

His Most Christian Majesty's Speech to the Parliament of Paris, Nov. 19, 1787.

Gentlemen,

I am come to this assembly to recall to my parliament those principles from which it ought never to deviate; to hear what you have to say upon two great acts of administration and legislation, which to me have appeared necessary; finally to reply to you upon the representations made to me by the chamber of vacations, in favour of my parliament of Bourdeaux. The principles which I mean to recall to your recollection, are a part of the essence of the monarchy, and I will not suffer them to be unknown or changed. I had no need of solicitations to assemble the notables of my kingdom. I shall never be afraid of being among my subjects.

A king

A king of France is never more happy than when he enjoys their love and fidelity; but it is I only who am to judge of the use and necessity of those assemblies, and I will not suffer myself to be indifferently importuned for that which ought to be expected from my wisdom, and the love I have for my people, whose interests are inseparable from my own. The act of administration which I propose to myself is an edict, containing a creation of successive loans for five years. I wished to have no farther recourse to the resource of loans; but order and œconomy must have time to make them effectual. Limited and well calculated loans will retard the operations of the former, but they will not prevent them. No new imposts will be established, and my engagements will be fulfilled. I will ever maintain by the most constant and undivided protection, the holy religion in which I have the happiness to be born, and I will not permit it to suffer the least diminution in my kingdom. But I am of opinion that this same religion commands me not to leave a part of my subjects deprived of their natural rights, and what the state of society promises them. You will see in my answer upon the subject of the parliament of Bourdeaux, to what a degree its conduct is reprehensible. My parliament ought to reckon upon my confidence and affection; but they ought to merit them, in confining themselves within the functions confided to their execution by the kings my predecessors; being careful not to depart from, nor refuse them, and more particularly never to fail in giving to my subjects an example of fidelity and submission. My keeper of the seals will more fully communicate to you my intentions.

*The Address of the first President of
of the Parliament of Paris to the
King at Versailles, on the Exile
of the Duke of Orleans and two
Counsellors of the Parliament.*

Sire,

Your parliament is come, in obedience to your orders. It has this morning been informed, at the opening of the sitting, that a prince of your august blood has incurred your displeasure, and that two counsellors of your court are deprived of their liberty. Your parliament, in consternation, humbly supplicates your majesty, to restore to the prince of your blood, and to the two magistrates, the liberty which they have lost, having, in your presence, freely declared what their duty and consciences dictated, in a sitting wherein your majesty had announced that you came to take the sense of the assembly by a plurality of suffrages.

The King's Answer.

When I put away from my person a prince of my blood, my parliament ought to believe, that I have very strong reasons for so doing. I have punished two magistrates, with whom I ought to be dissatisfied.

*The Second Address of the Parliament
of Paris to the King, on the same
Subject, Nov. 23, 1787.*

Sire,

The public affliction has preceded your parliament at the foot of the throne. The first prince of your blood is exiled; two magistrates of your parliament are imprisoned by your orders: the error of this august prince, the crime of these two magistrates, are unknown to us. It cannot have been a crime to speak
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the truth in the presence of your majesty. Your majesty came among us to demand our free suffrages: to give them on every occasion is the right and duty of your parliament, and the interest of your majesty to hear them. It is true, the keeper of the seals expressed the sentiments of your majesty; but our counsel to you would no longer come from the sanctuary of truth, if restrained by the terror of offending. If the duke of Orleans is guilty, we are also. It was worthy the first prince of your blood, to represent to your majesty, that you were transforming a meeting of the parliament into a bed of justice. His declaration has but announced our sentiments; his feelings have judged of ours; and if by the effect of that concord, which nothing can destroy, between the wishes and the duty of your parliament, the duke of Orleans has shewn a courage worthy his birth and rank, he has no less manifested a heart zealous for your glory. In fact, sire, foreigners cannot conceive, posterity will not believe, that we could be exposed to any danger in telling your majesty that truth, which you have demanded in person. Your presence has ever been accompanied with favour: must it henceforth produce fear and affliction? A bed of justice would be less terrible than a sitting of parliament; and our loyalty to your majesty would suppress our voices, were our confidence, encouraged by yourself, no other than the signal of our exile or imprisonment. And what imprisonment, sir? Honour and humanity, as well as justice, tremble at it; the basest men have laid hands on the person of

one of your magistrates*; his house has been besieged; instruments of the police have driven away his family. It was by prayers and entreaties to those ungracious men, that he was permitted to see his wife, his children, and his sisters, on his departure. They have forced him away without a servant; and that magistrate, who, on Monday, thought himself under the personal protection of your majesty, is gone to a distant prison, unattended but by three men, the devotees of arbitrary power. The second of these magistrates seized by your orders, though treated in his own house less cruelly than the other, has nevertheless been constrained to depart with a fever, and threatened with an inflammatory disorder, to a place where life is a continual punishment. His dwelling is a rock; his prison beat by the waves of the sea; the air he breathes unwholesome; all assistance is remote, and your majesty, without wishing it, without knowing it, in signing the order of imprisonment, has perhaps signed that of his death. If exile is the recompence of the fidelity of the princes of your blood; if outrages and captivity threaten the uprightness of the first magistrates of the kingdom; we may ask ourselves with terror and grief, what will become of the laws, the public liberty, the national honour, and the manners of your majesty's subjects; those manners so mild, so necessary to be preserved for the common interest of the throne, and of the people. Such designs, sire, are not in your heart; such examples are not the principles of your majesty. They arise from another source. Your parliament, sire, most humbly be-

* The officer who arrested the abbé Tratian is said to have laid his hand upon his shoulder, which is a high indignity in France.

seeches your majesty, as you value your glory, your high renown; to remove those afflicting counsels, to consult and listen only to your own heart; and then, justice with humanity, encouraged by the return of the first prince of your blood, and by the release of your two magistrates, will begin to efface an example which would end by the destruction of the laws, the degradation of the magistracy, universal discouragement, and the triumph of the enemies to the honour of the French."

His Majesty's Answer to the foregoing Address, Nov. 26, 1787.

When I held a sitting among you, gentlemen, the keeper of the seals told you, by my order, that the more kindness I shewed when I followed the inclinations of my heart, the more firmness I discovered when I thought I perceived any attempts to abuse that kindness.

This might be a sufficient answer to your second petition; but I will condescend to add, that if I do not blame the interest you express for the detention of your two magistrates, I disapprove, however, your exaggerating the circumstances and consequences of it. You seem to attribute the whole of this transgression to motives, which the free liberty I permitted you to express your opinions does not warrant.

I am accountable to no person for the motives of my resolutions.

It is time you should separate the particular case of those I have punished from the interest of my other subjects, and that of the laws.

All my subjects are sensible that the goodness of my heart is ever watchful for their happiness, and must acknowledge the effects of it, even in my acts of justice.

Every individual is interested in the preservation of public order, and that order essentially depends on the support of my authority.

If those I have charged to execute my orders have behaved in a manner contrary to my intentions, I will punish them; and if the place of confinement can any ways be detrimental to the health of the two magistrates, I will order them to be removed to more salutary spots; for the feelings of humanity are inseparable from my heart, even in the execution of my justice.

In regard to the duke of Orleans' absence from the capital, and from my court, I have nothing to add to what I have already said to my parliament.

The Third Remonstrance of the Parliament of Paris to the King, on the same Subject, Dec. 10, 1787.

Sire,

Your parliament, the princes and peers of your realms, being seated, have charged us with the commission of laying at the foot of your throne their most respectful representations on your majesty's answer to their supplication.

The magistracy of your kingdom, as well as every true citizen, are equally astonished at the reproaches it contains, and the principles which are manifested in it.

We are, however, far from attributing these reproaches to the personal sentiments which inspire your majesty.

Public decency received a severe wound in the choice of the executors of your orders. If their crime was not carried to the personal arrest of one of your magistrates, the exposition of other facts, far from being exaggerated, is yet incomplete;

plete; and your parliament may add, that this magistrate, whose house was invested by armed men, himself delivered up to the agents of the police, like a malefactor, saw himself reduced to the humiliation of being liable to the summons of an officer, from a submission to your majesty's order.

May we be allowed, Sire, to represent to you, that, in devoting ourselves to the public service, in promising to release your majesty of the first duty you owe your nation, namely, that of justice; in bringing up our children to be subject to the same sacrifices, we never could have supposed we were designing ourselves and our children to the misfortunes, still less to outrages of so heinous a nature.

But we do not come so much to claim your benignity, as the protection of the laws. It is not to your humanity alone that we address ourselves; it is not a favour which your parliament solicits; it comes, Sire, to *demand justice*.

This justice is subject to regulations independent of the will of man—even kings themselves are subservient to them; that glorious prince, Henry the Fourth, acknowledged he had two sovereigns, God and the laws.

One of these regulations is, to condemn no one without a hearing; it is a duty in all times, and in all places; it is the duty of all men; and your majesty will allow us to represent to you, that it is as obligatory on you as on your subjects.

But your majesty has not to execute this function; and your parliament with pleasure brings to your recollection your glorious privileges, that of shewing mercy to condemned criminals. To condemn them yourself, is not a function belonging to majesty. This painful and

dangerous task the king cannot exercise but through his judges. Those who find a pleasure in hearing your majesty pronounce the dreadful word of punishment, who advise you to punish without a trial, to punish of your own accord, to order exiles, arrests, and imprisonments; who suppose that acts of rigour are compatible with a benign disposition, equally force a wound to external justice—the laws of the realm, and the most consoling prerogative belonging to your majesty.

It does not allow, that opinions delivered in parliaments should be considered as motives for your rigour, and in some measure a consolation for us. But if strong reasons should actuate you to the exile of the duke of Orleans—if it can be called a kindness that you no longer leave two magistrates exposed to perish in distant prisons, or unwholesome places—if it is considered as an act of humanity, which tempers justice, in releasing them from such a situation—they must indeed be guilty! But it is the duty of your parliament to judge them—and we demand only, that their crimes should be published.

The meanest of your subjects is not less interested in the success of our reclamations, than the first prince of your blood—Yes, Sire, not only a prince of your blood, but every Frenchman punished by your majesty, and especially who is punished without a hearing, becomes necessarily the subject of public alarm. The union of these ideas is not the work of your parliament: it is that of nature, it is the voice of reason, it is the principle of the most wholesome laws, of those laws which are engraved in every man's heart, which is the principle of yours, and which as-

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tures us of your *personal* approbation. The cause of his royal highness the duke of Orleans, and of the two magistrates, is then without our consent, and, by forcing those principles, the act of the throne, whose only foundation is justice, and without which no nation can be happy.

It is, therefore, in the name of those laws which preserve empires, in the name of that liberty for which we are the respectful interpreters and the lawful mediators, in the name of your authority, of which we are the first and most confidential ministers, that we dare demand the trial or the liberty of the duke of Orleans and the two exiled magistrates, who are imprisoned by a sudden order, as contrary to the sentiments as the interests of your majesty.

Memorial presented to the States General of the United Provinces, Aug. 14, 1787, by Sir James Harris, K. B. the British Ambassador at the Hague.

High and Mighty Lords,

The king, animated with the truest and most sincere sentiments of friendship for your high mightinesses, cannot without extreme pain see the continuation of the unfortunate troubles which subsist in the republic of the United Provinces; and which, by their continuation, threaten the most grievous consequences.

The memorials which the undersigned envoy extraordinary and minister plenipotentiary has presented to your high mightinesses, since he had the honour to reside here, have shewn, that the king his master, as a good friend and neighbour of this republic, has never ceased desiring

to see peace re-established; and his majesty will be always disposed to co-operate on his part, in such a manner as your high mightinesses may judge proper.

His majesty having observed that the states of the provinces of Zealand and Friesland, have declared their disposition to ask the mediation of some neighbouring powers, (in case that your high mightinesses judge such intervention necessary) and that of Zealand has called to mind, on this occasion, the repeated assurances which the king has given of his friendship for the United Provinces: the undersigned has express orders to assure your high mightinesses that his majesty has constantly strongly at heart the re-establishment of the tranquillity of the republic, the preservation of the true constitution, and the maintenance of the just rights and privileges of all its members. His majesty feels the greatest satisfaction, in having reason to think that the internal means, furnished by the constitution itself, have power sufficient to accomplish so salutary an object. But at the same time, if your high mightinesses are decided, that it is necessary to recur to a foreign mediation, and to invite his majesty; then, in natural consequence of his affection, and of his good will for the republic, the king will be eager to prove to your high mightinesses his sincere desire to employ all the care that may depend on his majesty to bring the negotiation to a happy, solid, and permanent issue.

JAMES HARRIS.

Representation of the Equestrian Order and Nobles of the Province of Holland, to the States of Holland and West Friesland, Aug. 27, 1787.

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The lords of the Equestrian order and nobles think proper once more, to represent in the most affecting manner to your noble and great mightinesses the true picture of the unfortunate state of our country. This province, formerly so happy and flourishing, and so respected, the object of admiration, and frequently even the envy of the neighbouring nations, is now rending its own entrails, and by discord and unbridled passions is at this moment on the brink of destruction, and ready with all its inhabitants to be overwhelmed in inevitable ruin.

When the lords of the Equestrian order proposed their advice on the 7th of July to this illustrious assembly, they judged it sufficient, in the then situation of affairs, to glance slightly over the reasons which actuated them; they flattered themselves that the penetrating eye of the members of the illustrious assembly of your noble and great mightinesses, would give them that turn of which they were so evidently susceptible.

When on the 10th of July they deliberated on the memorial of M. de Thulemeyer, the Equestrian order pressed them in the most earnest manner to make the most serious reflections on the absolute necessity of providing as soon as possible some conciliatory means proper to prevent those effects which the Equestrian order feared, and which it plainly told them of.

The Equestrian order, nevertheless, has not had the satisfaction of seeing their well-meant advice or conciliatory propositions crowned with success, by want of influence over the plurality of members; but, on the contrary, heard and saw the 14th of July an answer

to the memorial of the Prussian envoy determined upon; from which it appeared to the Equestrian order that no good effect could be expected. The event has at present proved the same, as appears by the last memorial from the court of Berlin; and experience shews the foundation of that foresight on which the Equestrian order grounded its first advice. Now the danger is at the highest point, and augments every instant; and if they intend to put in execution the means of preventing a situation absolutely without resource, not a moment must be lost.

The Equestrian order thinks the term *without resource* is not too expressive, but founded in every respect on truths that must be acknowledged; and they are ready to sacrifice their wealth and blood for that liberty which their ancestors have enjoyed, and which they acquired and founded by rivers of blood. But the Equestrian order will never concur in rendering the inhabitants of Holland the victims of inconsiderate actions, which in themselves unjustly violate the laws of nature and of nations, which destroy liberty, and which provoke the vengeance of those whom they have necessitated by their rash treatment to check them by force. And what, alas! are the means of defence which can be put in execution in these unfortunate circumstances, to please a people whom they are obliged not only to preserve from evident danger, but even to protect from that which threatens them?

Will they find these means in the concord, that once immovable bulwark of our power? That has disappeared; and the re-establishment of it can only be effected by the assistance of the Almighty.

Are the means to be found in the finances, which form the sinews of all military expeditions? Who amongst the members of your noble and great mightinesses, or those members composing the corps of the regencies of the respective cities, are ignorant of the deplorable situation of the finances at this moment? If any farther proof of it is required, let them cast an eye on the last loan of five millions made by Holland; they have only to reckon the enormous loss of 22 per cent. and then reckon that the above loan cost this country 16 millions of florins; they have only to consider the present price of bonds, the important diminution of the value of effects, the enormous expences which are incurred in a country become powerful by economy, and executed by a commission with a power more than dictatorial, and which has a free unlimited power over the wealth of this country, which it uses in the most unconstitutional manner imaginable, and absolutely without example, for its own ends, and of which the sovereign has generally not the least knowledge but when they think proper to require their approbation, which they have always an opportunity of insuring by the reigning spirit. If we must speak with truth, and without disguise, the Equestrian order must own it is informed, that the expences attending this commission, or the ordinaries which have been granted it at its request, amount already, during the first week of its nomination, to near 60,000 florins.

If this is the case, the Equestrian order has no occasion to make any reflections on this head; things speak for themselves, and afford sufficient room to compare the ancient industry of the Dutch in the

management of their finances with the disorderly profusion which now so strongly reigns.

The Equestrian order still flatters itself that they may be mistaken, and that the counsellors of the committee, knowing best the state of the finances, will be able to declare these reports without foundation.

Are the means of defence to be found in the advancement of commerce, and the resources it affords?

At the establishment of this republic, and during the uncertain era of its existence, the enemy was more than once in the country, and they experienced the unfortunate effects of it; yet commerce preserved at least one part of its ordinary course. The Dutch flag, more or less protected, presented itself, and brought riches, which enabled the inhabitants to pay the heavy taxes which the preservation of their country required. The powerful city of Amsterdam supported the republic: its amazing wealth rendered it the mistress of the commerce of the universe, even during those unhappy times, and diffused through an infinite number of small veins, which proceeded from this rich source, and which it knew how to nourish, a prosperity which rendered its intrinsic power firm, and made it withstand the greatest assaults. But, alas! at present, if this rich source is not entirely drained, it is at least in a most deplorable situation. Here we want words to express ourselves. The Equestrian order is affrighted at the appearance of the situation of trade, and cannot conceal it. And what more is there which they have not to fear? May not an instant shut up the passage of those rivers through which the commerce of this country is still carried on

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with some advantage? Can they be ignorant of the damage this must do to the principal cities of Holland? The inhabitants of Dort, do they not suffer greatly in being stopped in their commerce of wood? The inhabitants of Schiedam, are they not hindered in their coal trade, which they send up the Rhoer? Can the city of Amsterdam carry on any trade with the ships from the Upper Rhine? and how great then will be the number of those whose only subsistence is commerce, and which they will be deprived of? Let us draw a curtain over this dreadful description; the heart hardens at the thoughts of the fatal events which this subject exhibits on all sides.

In fine, will they seek and find the means of defence in the assistance of our confederates, or in that of foreign powers?

The answer to this question, and the exposition of the different objects which must be considered in every point of view, is of so delicate and embarrassing a nature, that the Equestrian corps is fearful of expressing itself on this head. To effect it requires a knowledge founded on the political system of this part of the globe, to obtain which we must pry into the secrets of cabinets, and discover them as much as possible. This requires combinations, and such foresight is necessary for this which prudence forbids to trust to paper. The Equestrian corps appeals to the wisdom of the members, who cannot rate the present state of the union high enough, and who can, in like manner, pry into the designs of the monarchs who surround us, and who do not look with an indifferent eye on this republic; for which there is no need of an explication on the part of the Equestrian order,

who protest that they have not the least thought that their co-members of this assembly want the smallest hint on this important matter.

After these mature and moderate reflections on what has been said, the Equestrian corps think themselves obliged to introduce again their advice, proposed the 10th of July, and to insist in a proper manner that your noble and great mightinesses put in execution immediately some conciliatory means, without derogating from your sovereign dignity, and not to make this unfortunate accident augment the number of unhappy circumstances in which this republic is indisputably involved.

The Equestrian corps therefore renews its instances, and previously recalls its advice; it frankly offers to give on every occasion proofs that it has nothing more at heart, and wishes for nothing more ardently, than to act in concert with all the members for the real welfare of the province in its defence; in a word, for the re-establishment of its repose, happiness, and prosperity; and will at all times sacrifice for that purpose its wealth and blood.

Such, noble, great, and mighty lords, are the true sense and sole intentions of the Equestrian order, which they declare in the most solemn manner, in the firm persuasion that this protestation, and the open exposition of all their sentiments contained in this advice proceed from their duty to the Almighty, to their conscience, to their oath, to all the inhabitants of Holland, and in fine to this illustrious assembly itself, whose deliberations and advice ought to be governed by truth, sincerity, and persuasion.

We must still add here, noble,
(F 3) great,

great, and mighty lords, that this is the second time that the Equestrian order has been obliged, within a little space, to propose such a detail of advice to this illustrious assembly; the objects of it were of the utmost importance, and made the Equestrian order declare its sentiments on political affairs once for all.

This they have done without fear, though they know the judgment a contrary system forms of it; nor are they ignorant of the menaces which public report announces to them. If they are executed; if we must suffer the lot of our brothers of Dort, we are assured that we may say with them,

"Justum & tenacem propositi virum,
Non civium ardor prava jubentium,
Non vultus instantis tyranni,
Mente quatinus solida.
Si fractus illabatur orbis,
Impavidum serient ruinæ."

And then dying in a noble cause, we will not with our last breath call down the vengeance of the Almighty, but we will use that tender prayer, "Forgive them, Lord, they know not what they do."

Letter from her Royal Highness the Princess of Orange to his Serene Highness the Reigning Duke of Brunswick, dated Sept. 15, 1787.

Nimeguen, Sept. 15.

SIR,

The moment your highness enters the province of Holland at the head of the body of troops the king, my brother, has entrusted to you, permit me to recommend again to you the interests of that nation which is so dear to me, and to whose prosperity I shall always glory in contributing as much as in my power. I could not foresee that so simple

an intention as that of my going to the Hague would have had such serious effects, and so entirely opposite to the salutary views which determined me to undertake that journey.

I expected great obstacles before I succeeded in my endeavours to restore peace and tranquillity; but the only difficulty for which I was unprepared, because it was the least probable, was unfortunately that which deprived me of every means of attaining my end, by stopping my journey by violent means.

But if the unheard of proceeding used towards me in Holland, a proceeding, the impression of which has only been modified by my inward knowledge of not having merited it: if this proceeding, I say, has been disapproved by all the courts, and every man of honour and good breeding, what must be thought of those who compose the present plurality of the states of Holland, to see them misconstrue and sacrifice the interests of their country to little personal views, and oblige the king to take a satisfaction they have obstinately refused to his friendly exhortations.

The king, by declaring he considered the offence as against himself, penetrated my heart with gratitude; but after the manner they dared to answer him, and the injustice which this pretended majority did not cease committing, that declaration would have raised my greatest fears for that country which for 20 years I have considered as my own, and whose interests are inseparable from those of my house, if I had not been made easy by the declaration of the states general, that of the principal members of the assembly of the states of Holland, and of the greatest part of the nation, as well as by the unanimous

unanimous sentiments which characterize his majesty.

The king could not give a stronger proof of those sentiments than by charging your highness with the execution of his orders; and the sentiments, sir, you have desired to shew towards me, and which your highness has manifested in your declaration to the states of Holland, do not permit me to doubt of the wisdom and equity of your intentions; but your highness must pardon me if I dare to implore your clemency towards that part of the inhabitants who are blinded and led astray by passion, and to assure you I shall consider your behaviour towards them, and the protection you shew to the wise part of the nation, as so many favours done to myself. In the mean time I do solemnly declare here that, perfectly agreeable to the moderate principle shewn by the prince in his last declaration, I will never profit from any circumstances whatever to procure my family a greater authority than the constitution and true liberty of the provinces grant it; and that for myself I shall always be ready to employ my good offices for the welfare of this country, and those of my house, without fear of trouble or disputes. I have no ambition for any influence, and I will only accept that which I owe to the confidence and friendship I have merited. It is with these sentiments and the warmest gratitude I shall all my life remain with the highest consideration, sir, your serene highness's most devoted servant and cousin,

WILHELMINA."

*From the Same to the Same; Nov. 3,
1787.*

SIR,
The states of Holland having de-

fired me to request the king my brother to permit 3000 or 4000 of his troops to remain some time in this province, I hasten to inform your highness of this resolution of their noble and great mightinesses, a copy of which is annexed, beseeching your highness to support this demand with your good offices: the signal marks of kindness and protection of his Majesty make me hope he will not refuse them.

I leave it to your highness's consideration, if, after the arrangement taken to disarm the unconstitutional citizens of Amsterdam, you may not regard the conditions of the satisfaction required by the king as entirely fulfilled, and withdraw the troops, except the number the states of Holland have demanded, which will be both a relief to this country, and to the troops themselves, on account of the bad season. Your highness will at the same time permit me to intercede for the inhabitants of these provinces who are prisoners of war at Wezel: I request your highness to release them, and flatter myself you will not disapprove the share I take in their unfortunate situation. When you were on the point of entering Holland at the head of the Prussian troops, you deigned to receive the instances I addressed to you in favour of this nation, whose welfare and interests in general are the object of my constant wishes: accept then at present the expressions of my gratitude, and those of this nation, who have daily discovered the eminent qualities which characterize your highness. The remembrance of our obligations to you will always remain deeply engraven in our hearts, and we shall never forget that your highness has not only gloriously fulfilled the object of

(F 4) your

your commission, but that the most happy revolution has likewise resulted from it, which has restored this country to its liberty and independence, by strengthening the constitution, and re-establishing the prince my consort in his just rights and privileges. I have the honour to remain, with sentiments of an inviolable attachment, and the most distinguished consideration,

(Signed) WILHELMINA."

The Answer of his Serene Highness the reigning Duke of Brunswick, dated Nov. 5, 1787; to the preceding Letter.

Madam,

Your royal highness has notified to me the request which the states of Holland have made, at the same time desiring to obtain permission from the king for a body of 3000 or 4000 men to remain for some time in this province.

Persuaded as I am of the sincere desire the king has to oblige your royal highness, and to concur towards the welfare of the republic and the province of Holland, I think his majesty will not refuse that request. I will immediately make my most humble report to the king of the contents of your letter of the 3d inst. and I think, by leaving a body of 4000 men in this province, until the arrival of his majesty's orders, I shall only fulfil his desires. As the commission sent by his highness the prince of Orange to finish entirely the disarming of unconstitutional armed citizens, and the re-establishment of the council of war, accomplished all the objects which remained of the satisfaction, I think of successively recalling the troops of the king, except those who at the request of the states shall remain, if his majesty

consents to it, for some time longer in this province.

What your royal highness deigns to mention concerning the inhabitants of this country kept prisoners of war at Wezel, is analogous with the generous sentiments you shewed at the entrance of the king's troops on the territory of this republic, and I will certainly represent to the king the interest you take in the fate of these unfortunate men. I esteem myself too happy in having satisfied your royal highness in a commission which so nearly concerned the happiness of the republic, and which could only succeed by the concurrence of the major part of the inhabitants, who endeavoured to free themselves from a yoke which an oppressive cabal placed on them.

Deign, madam, to grant me a continuance of your good opinion, and to believe that nothing can exceed the profound respect with which I am, madam, your royal highness's, &c.

(Signed) CHARLES, G. F."

The Emperor's Declaration to the States of his Belgic Provinces, July 3, 1787, in Answer to their Remonstrance of the 22d of June.

To the right rev. and rev. fathers in God, noble, dear, and well-beloved, we the emperor and king.

My chancellor of state has presented me your remonstrance, dated the 22d of June last; and I wish, in answer to its contents, to acquaint you, by these presents, that it never was my intention to overturn the constitution of my provinces in Flanders, and that all the instructions, with which I have charged

charged my governors-general, have invariably tended, and without even the shadow of any personal interest, to the advantage of my faithful subjects in the Low Countries; at the same time that I would not deprive the body of the nation of any of their ancient rights, privileges, and liberties enjoyed by them. Every step I have taken ought to convince you of the truth of this assertion, if you yet remain willing to render them the justice which is their due.

I occupied myself on some reforms in the administration of justice, only at the instance of numerous and repeated requests that were made me, praying to obtain a shorter or less difficult mode of proceedings in law; and the superintendants appointed in consequence had no other aim than to see that the laws were put in force, and that those who were amenable to them should pay them proper regard.

In regard to many ancient privileges, I only wish to reform, at the desire of those concerned, the abuses that were become hurtful, and which had crept in by the lapse of time, contrary to the intent of their original purposes.

Far, then, from foreseeing any opposition, and especially one so criminal and bold, I expected that the states of my provinces in Flanders would have entered on the new regulations with as much alacrity as gratitude: and I still am willing, as a kind guardian, and as a man who knows how to commiserate the ill-advised, and who wishes to forgive, to attribute what has yet been done, and what you have dared to do, to a misinterpretation of my intentions, made and spread abroad by persons more attached to their private interest than to the

general good, and who have neglected to lose.

Be it as it may, it is my pleasure that the execution of the new ordinances in question should remain, for the present, suspended; and when their royal highnesses, my lieutenants and governors-general, agreeably to the intentions which I have lately communicated to them, shall be assembled at Vienna with the deputies of the different states, to represent before me their grievances aloud, and to learn my intentions, which they will always find calculated on the principles of the strictest justice, and tending solely to the benefit of my subjects, we will then agree on some regulations to be made for the general good, according to the established law of the land.

But if, contrary to every intent, this last token of my goodness towards you should be disregarded, inasmuch that you should refuse to come and lay before me your complaints, your fears, your doubts, and to listen to me with confidence, and that you continue your shameful excesses and unpardonable proceedings, then you will draw on yourselves all the unhappy consequences which must result from them, and which I pray God may never come to pass.

(Signed) JOSEPH.
(Counter-signed)

A. G. DE LEDERER.

The Emperor's Answer to the Deputies from the States of the Belgic Provinces, Aug. 15, 1787.

My just displeasure at what has passed in my Belgic provinces, is not to be appeased by a flow of words only; it must be such that follow to prove to me the reality of those sentiments of fidelity and attachment, of which you have given

given me an assurance on the part of your constituents.

I have given orders to the prince de Kaunitz, to communicate to you in writing, and for the notice of your states, *the orders which I have sent to my government*; and the execution of which I expect to be effected before entering into any deliberation whatever.

The welfare of my subjects is the sole object of all my proceedings, of which you ought to be persuaded by my calling you together in the moment when you have been bold enough to merit my indignation; and with all the means in my power to punish, I have, nevertheless, repeated the assurance of preserving you.

The Emperor's Orders alluded to in the preceding Answer, and transmitted to the Comte de Murray.

The Emperor and King,

Trusty and well beloved Comte de Murray, my counsellor of state, lieutenant-general of my armies, general-commandant, and my lieutenant-general, and captain general, *ad interim*, of the Low Countries.

You will find by the narrative annexed, in what terms I explained myself to the deputation from the states of my Belgic provinces in the audience which I gave them; and I send you this that you may know more particularly my intentions and pleasure on the subject of the indispensable preliminaries of which the narrative makes mention.

All the proceedings, more or less, of which the states, and a part of the people have been guilty, are notorious. Consequently

it is impossible for me to yield to the sentiments of clemency which I am inclined to cherish, nor to the favourable dispositions which I manifested to the deputation of the states, until there shall not remain the smallest vestige of any part of what they have dared to commit in contempt of the sovereign authority since the first of April of this year.

To this effect it is necessary.

1. That in all the provinces of the Low Countries every thing should be restored to the footing on which it stood before the first of April of this year.

2. The university and general seminary of Louvaine, with all the persons employed and belonging to each, must be re-established in the condition in which they stood, or ought to have stood, on the said first of April; and it must be the same with the seminary of Luxembourg.

3. The states of all the provinces must submit implicitly to the payment of the subsidies, both those that are in arrear, and those which are current.

4. The companies of burghesses, their military exercises, uniforms, cockades, and all other marks of party spirit, as well as all other illegal associations and meetings, shall be forthwith abolished; and in defect of troops, each magistrate shall take the most effectual measures for the support of the police and of good order.

5. The convents suppressed previous to the first of April last, shall remain suppressed for ever, and the nominations that may have been made since that period to the vacant abbey shall be null, and produce no effect in favour of the religious persons so appointed.

6. All the persons in office, whom

whom they have presumed to displace, must be restored; with the exception of the intendants and members of the new tribunals of justice: these two topics being of the number of those on which I am disposed to listen to my states and to commune with them.

7. It is also indispensable, that all which regards the chapters of Chanonopes, the religious fraternities, and all which respects the clergy as citizens and subjects of the states; and generally, that all things shall be restored to the condition, and be made instantly conformable to the ordinances existing at the above period.

In a word, there must not remain the smallest vestige of any thing committed contrary to my orders and intentions, and since the first of April of this year.

My dignity renders all these preliminary re-establishments, absolutely indispensable. The assemblies of the states will perceive, I hope, the necessity, and I consequently flatter myself that every one of them will immediately and peaceably take place if possible.

But if it shall happen, against all expectation, that any one shall dare to oppose this restitution, which must be complete and preliminary, I authorize you by these presents, to employ for this purpose, all the means of authority which I have confided in you, and which, but with much regret, though I find it to be necessary, I am obliged to augment as far as the occasion shall require.

As soon as you shall inform me that all the above preliminaries are fulfilled, and that every thing is restored to order, I shall be ready to concert with the assemblies of the states, or their deputies duly authorized, what will be the best in

the several branches of administration, without being contrary to the fundamental constitution of my Belgic provinces; or, on the contrary, I shall find myself under the necessity, for the general good, to employ all the means which are abundantly in my power, and of which I do not desire to make use from the affection which I yet bear for my Belgic people, although they have in my eyes been highly criminal.

And in so far, my trusty and well-beloved, may God have you in his holy keeping.

JOSEPH.

Vienna, 16th August.

Memorial of the Deputies of the Belgic Provinces to Prince Kaunitz, occasioned by his communicating the foregoing Orders to them.

The deputies of the states of the Austrian Belgic provinces, who are prostrate at the foot of the throne of their august sovereign, have seen with the most sensible grief their endeavours and hopes frustrated in not being able to obtain the proofs of his paternal tenderness, and that sort of declaration, which, by terminating the evils and misfortunes of this nation, would have raised its gratitude to its highest pitch; instead of which, my lord, our concern is augmented, and our alarms are redoubled, at the knowledge of the orders which his majesty has resolved to send to the government general of our provinces, and which you have deigned to communicate to us.

The faithful inhabitants of those provinces, full of confidence in his majesty's paternal bounty, did not doubt but he would put the seal of approbation to the declarations which

which we were charged to solicit, and thereby renew the public confidence, without which commerce and industry must languish, if not become extinct, which will bring on a certain inactivity, the bane of wealth. They hoped that a simple and precise declaration, tending to preserve all our rights, usages, and privileges which we had reason to expect from his majesty, would recover in the minds of foreigners that confidence they have a right to expect from an upright honest people, living peaceably under the protection of its wise and ancient constitution, which would have caused the national credit (greatly hurt by the fear of a new system) to resume its former vigour. They also hoped, that the inhabitants of those countries, who were ready to forsake their native soil by reason of internal divisions, would seek and find an asylum with them, which they certainly will not do now, until the new tribunals of justice are irrevocably suppressed, and the fatal intencencies abolished by an express declaration.

In the orders sent to the government every one will see his majesty relaxes in nothing relating to the ecclesiastical affairs, which are so strongly linked with the rights and privileges of the other classes of citizens, that it seems as if it was all one interest. They will see that his majesty, previous to entering into any deliberation whatsoever, requires the subsidies to be granted and paid, whilst it has always been an invariable rule that the consenting to the subsidies was dependent upon the exact observance of the privileges and liberties of the country.

The penetration of your highness cannot fail to observe the cruel

sensations which these orders will have on the minds of the Belgic people, as well as on those of foreigners, as they must appear to be only given to strengthen the new dispositions issued in the sacred name of his majesty, and which are the subject of our just complaints.

We are not ignorant, my lord, that his majesty can employ that force which the divine providence has put into his hands; but will the goodness of his heart permit him to use means so contrary to the welfare of his subjects? Will he deliver his children to the destructive effects of military executions, and that only because they remain attached to a constitution, which, in supporting the lawful power of the sovereign, affects at the same time the happiness of the people? Will the paternal tenderness of his majesty suffer him to destroy his faithful subjects, instead of ruling them by their indigenous laws, which have caused their happiness and prosperity for so many ages? Can such destructive means be reconciled with the paternal dispositions which he has deigned to profess for them, and which their inviolable fidelity has rendered them so worthy of? Will what his majesty thinks due to his offended dignity be completed, if, to revenge it, he gives up his faithful subjects to so many horrors, those subjects who are always ready to spend their wealth and blood in his defence, and for the glory of the country?

We are, therefore, bold enough to implore your highness to deign to employ your good offices and great interest in our favour, and to inform his majesty of our just fears, that thereby we may obtain a repeal of those orders, or some abatement

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ment of them, or, at least the suspension of the departure of the courier, that we may have time to give notice to our constituents, that they may, with the zeal that has always animated them, prepare the people for the sad news, and endeavour to avoid those evils, which, from the knowledge we have of the state of things we cannot but expect and dread.

Done at Vienna, Aug. 16, 1787.

Ita est, (Signed) De Cock.

Declaration of the Emperor's Intentions to the States of Brabant, by his Excellency the Count de Murray, Sept. 21, 1787.

Joseph comte de Murray, baron Melgum, knight of the military order of Maria-Theresa, chamberlain and privy-counsellor of state to his majesty, the emperor, and king, colonel-proprietor of a regiment of infantry in his said majesty's service, commander in chief in the Netherlands, his lieutenant-governor, and captain-general, *ad interim*, &c.

Gentlemen,

The solemn deputation from the provincial states appointed to lay at the foot of the throne the public testimony of the nation's attachment to his majesty's august person, and the vote of the said states in the last concentration of the troops, being an additional instance of that sincerity, finally, the declaration of the aforesaid states concerning the execution of the preliminary articles, prescribed by the royal dispatch of the 16th of August last, together with the explanatory act of the 1st instant, which was approved of as satisfactory to the dignity of the throne, empowers the emperor to

follow the dictates of his paternal heart.

His majesty, in the first place, informed by our report of the satisfactory explanation given by the respective deputies of the provinces successively, was graciously pleased, in order to calm the alarms of his subjects, to send us his commands, that in case the declarations of the states should be agreeable to the execution of the preliminaries, his royal pleasure should be signified, which his dignity could not permit him before to make known.

We have the singular happiness to have it now in our power to obey his commands: wherefore we hereby declare, in the name of the emperor and king, and in consequence of his orders:

1st, That all the conditions, fundamental laws, privileges and franchises, in fine, the *joyous entry*, are, and shall be maintained, and remain untouched conformably to the acts of his majesty's inauguration, both as to the civil and ecclesiastical order.

2dly, That the new tribunal of justice, the intendancies and their committees shall no longer be suspended, but be, and are entirely suppressed; his majesty, by his parental fondness, and his justice, being induced to give up this point, as well as those which had been regulated by two diplomas, issued out the 1st of January last concerning the administrations, the provincial states, and the intermediary committee, or deputation from the said states.

3dly, This tribunal, superior and inferior jurisdictions of the towns, and of the flat country, in fine, the order and administrations of justice, the states and their deputies, as well as the respective administrations of the towns and of the flat coun-

country, shall henceforth remain on the former footing, so that there will be no further mention made of the new form which had been talked of to be introduced in the different branches of public administration, in regard to which the two diplomas of the 1st of January, 1787, are entirely at an end: wherefore the dignities of grand bailiffs and civil governors shall continue in full force; and the support of the states requires that the same should be understood of those abbays whose abbots are members of the said states, and the latter shall be provided with abbots according to the *joyous entry* and the constitutions.

Lastly, in regard to redressing any infraction of the *joyous entry*, conferences shall be held with the states according to their requisition, their proposals on that head shall consequently be attended to, and his majesty shall dispose thereof according to equity, justice, and the fundamental laws of the province. Whereupon, gentlemen, I pray God to have you in his holy keeping.

Given at Brussels, September 21, 1787.

Signed MURRAY.

By command of }
his excellency } DE REUL.

Letter written by the Order of the Emperor, to the Council of Brabant, by the Count de Trauttmansdorff, the new Imperial Minister at Brussels.

“ FERDINAND, &c.

“ Gentlemen, For your information and instruction we send you the annexed copy of a dispatch which we this day address to the council of Brabant.

“ TRAUTTMANSDORFF.

“ Brussels, Dec. 13, 1787.

“ Countersigned by order of his excellency,

“ L. C. VANDEVELD.”

FERDINAND, &c.

Gentlemen, It is with the greatest surprise that we saw a printed letter in circulation addressed to you on the 3d instant by the states of Brabant, at the rising of their assembly, to thank you for the assistance you had given them for the preservation of the fundamental laws and privileges of Brabant, in which work your wisdom had facilitated their proceedings, by means of the conferences which they had held with commissioners from your body; the states inviting you at the same time to maintain in future the same understanding with them on every point in any wise relating to the public good, and particularly to the preservation of privileges; and requiring you, with a view of making this common agreement more certain and advantageous, firmly to resolve that no edict or instrument of government, having any relation whatever to the *joyful entry**; which may be sent to the council or chancery of Brabant, shall be published or carried into execution, without the knowledge and advice of the states or their deputies, who will deliberate upon them with such of their colleagues

* The *Joyful Entry* is a charter of liberty confirmed to the subjects of Brabant, by one of their sovereigns; and it is called by that name, because the charter was granted by the prince on the occasion of his making an entry into his capital, to the great joy of his people. The charter began with the words, “ The *Joyful Entry*.”

as may be present, and requiring you finally, in order that their wishes on this head may be fulfilled, to take such further measures (and to communicate them to the states) as your wonted wisdom may suggest.

Without dwelling upon the indecency with which the states express, in this letter, the little confidence they have in the solemn and repeated promises made by his majesty to maintain their constitution, and which he is most firmly resolved to maintain in all its parts, we declare to you that his majesty will never suffer any encroachment whatever upon his sovereign rights, under the specious pretext of privileges; and after that, we cannot refrain from reminding you most seriously, that though your oath of office for maintaining the *joyful entry* has been taken to and before the states, you are not, for all that, in any respect their officers, or authorised by that oath to have the least connection with them, without the knowledge and consent of the emperor, your only master, of whom alone you are officers, both by the places you fill, and the oath you have taken; for which reason, we most expressly forbid you, by these presents, to hold any connection, relation, correspondence, or keep up any understanding whatever on public affairs, either in a body or by commissioners, with the states or their deputies, without the previous knowledge or express command of his majesty or his representative.

It being our intention, that if in any edict, ordinance, or instrument, that government may send you, you find any thing which to you may appear contrary to the *joyful entry*, you confine yourselves barely to make a representation of it to

government, whose business it will then be to judge, whether the nature of the case is such, that the states ought to be heard upon it. We also strictly forbid you to return the states any answer to the letter in question; and we command you, in case you should have already answered it, or come to any resolution upon the subject matter of it, to send us immediately a copy of it.

TRAUTTMANSDORFF.

Counterigned, by order of his excellency,

L. C. VANDEVELD."

Brussels, Dec. 13, 1787.

Circular Letter transmitted by the United States of America, in Congress assembled, to the Governors of the respective States.

New-York, April 17.

S I R,

Our secretary for foreign affairs has transmitted to you copies of a letter to him from our minister at the court of London, of the 4th day of March, 1786, and of the papers mentioned to have been enclosed in it.

We have deliberately and dispassionately examined and considered the several facts and matters urged by Britain as infractions of the treaty of peace on the part of America, and we regret that in some of the states too little attention appears to have been paid to the public faith pledged by that treaty.

Not only the obvious dictates of religion, morality, and national honour, but also the first principles of good policy, demand a candid and punctual compliance with engagements constitutionally and fairly made.

Our

Our national constitution having committed to us the management of our national concerns with foreign states and powers, it is our duty to take care that all the rights which they ought to enjoy within our jurisdiction by the laws of nations and the faith of treaties, remain inviolate. And it is also our duty to provide that the essential interests and peace of the whole confederacy, be not impaired or endangered by deviations from the line of public faith, into which any of its members may, from whatever cause, be unadvisedly drawn.

Let it be remembered that the Thirteen Independent Sovereign States have, by express delegation of power, formed and vested in us a general, though limited sovereignty, for national purposes specified in the confederation. In this sovereignty they cannot severally participate (except by their delegates) nor with it have concurrent jurisdiction; for the ninth article of the confederation most expressly conveys to us the sole and *exclusive* right and power of determining on *war and peace*, and of entering into *treaties* and alliances, &c.

When, therefore, a treaty is constitutionally made, ratified, and published by us, it immediately becomes binding on the whole nation, and superadded to the laws of the land, without the intervention or fiat of state legislatures. Treaties derive their obligation from being compacts between the sovereign of this, and the sovereign of another nation; whereas laws or statutes derive their force from being acts of a legislature competent to the passing of them. Hence it is clear that treaties must be implicitly received and observed by every member of the nation; for as state legislatures are not competent to the

making of such compacts or treaties, so neither are they competent in that capacity, authoritatively to decide on, or ascertain the construction and sense of them. When doubts arise respecting the construction of state laws, it is not unusual or improper for the state legislatures by explanatory or declaratory acts, to remove those doubts: but the case between laws and compacts or treaties, is in this widely different; for when doubts arise respecting the sense and meaning of a treaty, they are so far from being cognizable by a state legislature, that the United States in congress assembled have no authority to settle and determine them: for as the legislature only, which constitutionally passes a law, has power to revise and amend it; so the sovereign only, who are parties to the treaties, have power by mutual consent and posterior articles to correct or explain it.

In cases between individuals, all doubts respecting the meaning of a law, are in the first instance mere judicial questions, and are to be heard and decided in the courts of justice, having cognizance of the causes in which they arise, and whose duty it is to determine them according to the rules and maxims established by the laws of nations for the interpretation of treaties. From these principles it follows of necessary consequence that no individual state has a right by legislative acts to decide and point out the sense in which their particular citizens and courts shall understand this or that article of a treaty.

It is evident that a contrary doctrine would not only militate against the common and established maxims and ideas relative to this subject, but would prove no less ludicrous in practice than it is irrational in theory; for in that case, the

the same article of the same treaty might by law be made to mean one thing in New Hampshire, another thing in New-York, and neither the one nor the other of them in Georgia.

How far such legislative acts would be valid and obligatory even within the limits of the state passing them, is a question which we hope never to have occasion to discuss. Certain however it is, that such acts cannot bind either of the contracting sovereigns, and consequently cannot be obligatory on their respective nations.

But if treaties, and every article in them, be (as they are and ought to be) binding on the whole nation; if individual states have no right to accept some articles and reject others; and if the impropriety of state acts to interpret and decide the sense and construction of them, be apparent; still more manifest must be the impropriety of state acts to controul, delay, or modify the operation and execution of these national compacts.

When it is considered, that the several states assembled by their delegates in Congress, have expressed power to form treaties, treaties so formed are not afterwards to be subject to such alterations as this or that legislature may think expedient to make, and that too without the consent of either of the parties to it, that is in the present case without the consent of all the United States, who collectively are parties to this treaty on the one side, and his Britannick majesty on the other. Were the legislatures to possess and to exercise such power, we should soon be involved, as a nation, in anarchy and confusion at home, and in disputes, which would probably terminate in hostilities and war with the nations with whom we may have formed

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treaties. Instances would then be frequent of treaties fully executed in one state, and only partly executed in another; and of the same article being executed in one manner in one state, and in a different manner, or not at all, in another state. History furnishes no precedent of such liberties taken with treaties under form of law in any nation.

Contracts between nations, like contracts between individuals, should be faithfully executed, even though the sword in the one case, and the law in the other, did not compel it. Honest nations, like honest men, require no restraint to do justice; and though impunity and the necessity of affairs may sometimes afford temptations to pare down contracts to the measure of convenience, yet it is never done but at the expence of that esteem, and confidence, and credit, which are of infinitely more worth than all the momentary advantages which such expedients can extort.

But although contracting nations cannot, like individuals, avail themselves of courts of justice to compel performance of contracts; yet an appeal to heaven and to arms is always in their power, and often in their inclination.

But it is their duty to take care that they never lead their people to make and support such appeals, unless the sincerity and propriety of their conduct affords them good reason to rely with confidence on the justice and protection of Heaven.

Thus much we think it useful to observe in order to explain the principles on which we have unanimously come to the following resolutions, viz.

“ Resolved, That the legislatures of the several states cannot of right pass any act or acts for interpreting,

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explain:

explaining, or construing a national treaty, or any part or clause of it; nor for restraining, limiting, or in any manner impeding, retarding or counteracting the operation and execution of the same; for, on being constitutionally made, ratified and published, they become, in virtue of the confederation, part of the law of the land, and are not only independent of the will and power of such legislatures, but also binding and obligatory on them."

As the treaty of peace, so far as it respects the matters and things provided for in it, is a law to the United States which cannot by all or any of them be altered or changed, all State acts establishing provisions relative to the same objects which are incompatible with it, must in every point of view be improper; such acts do nevertheless exist; but we do not think it necessary either to enumerate them particularly, or to make them severally the subjects of discussion. It appears to us sufficient to observe and insist that the treaty ought to have free course in its operation and execution, and that all obstacles interposed by state acts be removed. We mean to act with the most scrupulous regard to justice and candour towards Great Britain, and with an equal degree of delicacy, moderation, and decision, towards the States which have given occasion to these discussions.

For these reasons we have in general terms, "Resolved, That all such acts, or parts of acts as may be now existing in any of the states, repugnant to the treaty of peace, ought to be forthwith repealed; as well to prevent their continuing to be regarded as violations of that treaty, as to avoid the disagreeable necessity there might otherwise be of raising and discussing questions touching their validity and obligation."

Although this resolution applies strictly only to such of the states as have passed the exceptionable acts alluded to, yet, to obviate all future disputes and questions, as well as to remove those which now exist, we think it best that every state without exception, should pass a law on the subject. We have therefore "resolved, That it be recommended to the several states, to make such repeal, rather by describing and reciting the said acts; and for that purpose to pass an act, declaring in general terms, that all such acts and parts of acts, repugnant to the treaty of peace between the United States and his Britannick majesty, or any article thereof, shall be, and thereby are repealed; and that the courts of law and equity in all cases and questions cognizable by them respectively, and arising from or touching the said treaty, shall decide and adjudge according to the true intent and meaning of the same; any thing in the said acts, or parts of acts, to the contrary thereof notwithstanding."

Such laws would answer every purpose, and be easily formed. The more they were of the like tenor throughout the states the better; they might each recite:

Whereas certain laws and statutes made and passed in some of the United States, are regarded and complained of as repugnant to the treaty of peace with Great Britain, by reason whereof not only the good faith of the United States pledged by that treaty, has been drawn into question, but their essential interests under that treaty greatly affected: And whereas justice to Great Britain, as well as regard to the honour and interest of the United States, require that the said treaty be faithfully executed, and that all obstacles thereto, and particularly such

such as do or may be construed to proceed from the laws of this state, be effectually removed: therefore,

Be it enacted by and it is hereby enacted by the authority of the same, that such of the acts or parts of acts of the legislature of this state, as are repugnant to the treaty of peace between the United States and his Britannick majesty, or any article thereof, shall be, and hereby are repealed. And further, that the courts of law and equity within this state be, and they hereby are directed and required in all causes and questions cognizable by them respectively, and arising from or touching the said treaty, to decide and adjudge according to the tenor, true intent and meaning of the same, any thing in the said acts or parts of acts, to the contrary thereof in any wise notwithstanding.

Such a general law, would, we think, be preferable to one that should minutely enumerate the acts and clauses intended to be repealed; because omissions might accidentally be made in the enumeration, or question might arise, and perhaps not be satisfactorily determined, respecting particular acts or clauses, about which contrary opinions may be entertained. By repealing in general terms all acts and clauses repugnant to the treaty, the business will be turned over to its proper departments, viz. the judicial; and the courts of law will find no difficulty in deciding whether any particular act or clause is or is not contrary to the treaty. Besides, when it is considered that the judges in general are men of character and learning, feel, as well as know the obligations of office, and the value of reputation, there is no reason to doubt that their conduct and judgment relative to these, as well as other judicial matters, will be wise and upright.

Be pleased, sir, to lay this letter before the legislature of your state without delay. We flatter ourselves they will concur with us in opinion that candour and justice are as necessary to true policy as they are to found morality, and that the most honourable way of delivering ourselves from the embarrassment of mistakes, is fairly to correct and amend them. It certainly is time that all doubts respecting the public faith be removed, and that all questions and differences between us and Great Britain be amicably and finally settled. The states are informed of the reasons why his Britannick majesty still continues to occupy the frontier posts, which by the treaty he agreed to evacuate; and we have the strongest assurances that an exact compliance with the treaty on our part shall be followed by a punctual performance of it on the part of Great Britain.

It is important that the several legislatures should, as soon as possible, take these matters into consideration; and we request the favour of you to transmit to us an authenticated copy of such acts, and proceedings of the legislature of your state, as may take place on the subject, and in pursuance of this letter.

By order of Congress,
(Signed) ARTHUR St. CLAIR
President.

Plan of a new Constitution of the United States of America, agreed upon at a Convention held at New York.

New York, Sept. 21.

In Convention, Sept. 17, 1787.

Sir,

We have now the honour to submit to the consideration of the United States,

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States, in Congress assembled, that constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired, that the power of making war, peace, and treaties, that of levying money, and regulating commerce, and the correspondent executive and judicial authorities, should be fully and effectually vested in the general government of the union; but the impropriety of delegating such extensive trust to one body of men is evident. Hence results the necessity of a different organization.

It is obviously impracticable in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals, entering into a society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights that must be surrendered, and those which may be reserved; and, on the present occasion, this difficulty was increased by a difference among the several states, as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject, we kept steadily in our view that which appears to us the greatest interest of every true American—the consolidation of our union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the convention to be less rigid on points of inferior magnitude than might have been otherwise expected; and thus the constitution, which we now present, is the result of a spirit of

amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every state, is not perhaps to be expected; but each will doubtless consider, that, had her interests been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; and that it may promote the lasting welfare of that country, so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect,

We have the honour to be,

SIR,

Your Excellency's most Obedient and humble servants,
GEORGE WASHINGTON, President.

By unanimous order of the Convention.

[To his Excellency the President of Congress.]

WE, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.

ARTICLE I.

SECT. 1. All legislative powers herein granted shall be vested in a congress of the United States; which shall consist of a senate and house of representatives.

SECT. 2. The house of representatives shall be composed of members chosen, every second year, by the people of the several states; and the electors in each state shall have the qualifications requisite for electors

electors

ters of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not when elected be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all persons. The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen to the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The house of representatives shall chuse their speaker and other officers; and shall have the sole power of impeachment,

Seft. 3. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided, as nearly as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The vice-president of the United States shall be president of the senate; but shall have no vote, unless they be equally divided.

The senate shall chuse their other officers, and also a president *pro tempore*, in the absence of the vice president, or when he shall exercise the office of president of the United States.

The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of

two-thirds of the members present.

Judgement in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honour, trust, or profit, under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgement, and punishment, according to law.

Sect. 4. The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Sect. 5. Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorised to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgement require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session

of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Sect. 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emolument whereof shall have been increased during such time; and no person, holding any office under the United States, shall be a member of either house during his continuance in office.

Sect. 7. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Every bill which shall have passed the house of representatives and the senate shall, before it become a law, be presented to the president of the United States: if he approve, he shall sign it; but, if not, he shall return it with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections,

jections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote, to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment), shall be presented to the president of the United States; and, before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be re-passed by two thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

SECT. 8. The congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises, shall be uniform throughout the United States.

To borrow money on the credit of the United States.

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

To establish an uniform rule of naturalization, and uniform laws on the subjects of bankruptcies, throughout the United States.

To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

To provide for the punishment of counterfeiting the securities and current coin of the United States.

To establish post-offices and post-roads.

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

To constitute tribunals inferior to the supreme court.

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

To provide and maintain a navy.

To make rules for the government and regulation of the land and naval forces.

To provide for calling forth the militia, to execute the laws of the union, suppress insurrections, and repel invasions.

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the states respectively the appointment of the officers, and the authority of training the militia, according to the discipline prescribed by congress.

To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square), as may, by cession of particular states, and the acceptance of

congress, become the seat of the government of the United States; and to exercise like authority over all places purchased by the consent of the legislature of the state, in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.
And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or office thereof.

Sect. 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress, prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

No bill of attainder, or *ex post facto* law, shall be passed.

No capitation, or other direct tax, shall be laid, unless in proportion to the census, or enumeration hereinafter directed to be taken.

No tax or duty shall be laid on articles exported from any state. No preference shall be given, by any regulation of commerce or revenue, to the ports of one state over those of another: nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties, in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of

the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them shall, without the consent of the congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Sect. 10. No state shall enter into any treaty, alliance, or confederation: grant letters of marque and reprisal; coin money; emit bills of credit; make any thing, but gold and silver coin, a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and controul of the congress. No state shall, without the consent of congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war; unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

Sect. 1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years; and, together with the vice-president, chosen for the same term, be elected as follows:

Each

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and, if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot one of them for president; and, if no person have a majority, then from the five highest on the list the said house shall in like manner choose the president. But, in choosing the president, the votes shall be taken by the states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having

the greatest number of votes of the electors shall be the vice-president. But, if there should remain two or more who have equal votes, the senate shall choose for them by ballot the vice-president.

The congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person, except a natural-born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office, who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president; and the congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall then act as president; and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

The president shall, at stated times, receive for his services a compensation, which shall neither be increased or diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:

“ I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States,

States, and will to the best of my ability preserve, protect, and defend, the constitution of the United States."

Sect. 2. The president shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States: he may require the opinion, in writings, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and, by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the congress may by law vest the appointment of such inferior officers as they may think proper, in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

Sect. 3. He shall from time to time give to the congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient: he may, on

extraordinary occasions, convene both houses, or either of them; and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers: he shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

Sect. 4. The president, vice-president, and all civil officers of the United States, shall be removed from office, on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanours.

ARTICLE III.

Sect. 1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Sect. 2. The judicial power shall extend to all cases in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, and other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof

of, and foreign states, citizens, or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but, when not committed within any state, the trial shall be at such place or places as the congress may by law have directed.

Sect. 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt-act, or on confession in open court.

The congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

ARTICLE IV.

Sect. 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the congress may by general laws prescribe the manner in which such acts, records, and proceedings, shall be proved, and the effect thereof.

Sect. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall fly from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labour in one state, under the laws thereof, escaping into any other, shall, in consequence of any law or regulation therein, be discharged from such service or labour; but shall be delivered up, on claim of the party to whom such service or labour may be due.

Sect. 3. New states may be admitted by the congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the congress.

The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Sect. 4. The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion; and, on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V.

The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments

to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a Convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by Conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided that no amendment, which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state without its consent shall be deprived of its equal suffrage in the senate.

ARTICLE VI.

All debts contracted, and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the Conventions of Nine States shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in Convention, by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.
GEORGE WASHINGTON,
President; and Deputy from
Virginia.

New Hampsh.	{ John Langdon, Nicholas Gilman.
Massachusetts.	{ Nath. Gorham, Rufus King.
Connecticut.	{ W. Sam. Johnson, Roger Sherman.
New York.	Alexr. Hamilton.
New Jersey.	{ Wm. Livingston, David Brearley, Wm. Paterson, Jonathan Dayton. Benjn. Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thos. Fitzsimons, Jared Ingersol, James Wilson, Gouverneur Morris.
Pennsylvania.	{ George Read, Gun. Bedford, jun. John Dickinson, Richard Bassett, Jacob Broom. James M ^c Henry, Daniel of St. Thos. Jenifer, Daniel Carroll, John Blair, J ^s . Madison, jun.
Delaware.	
Maryland.	
Virginia.	

Nth;

Nth. Carolina. { William Blount,
R. Dobbs Spaight,
Hugh Williamson.
Sth. Carolina. { John Rutledge,
Charles Cotesworth
Pinckney,
Charles Pinckney,
Pierce Butler.
Georgia. { William Few.
Abim. Baldwin.
Attest. WILLIAM JACKSON, sec.

In Convention, Monday, Sept. 17,
1787,

P R E S E N T,

The states of New Hampshire, Massachusetts, Connecticut, Mr. Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia:

Resolved,

That the preceding constitution be laid before the United States in congress assembled; and that it is the opinion of this convention, that it should afterwards be submitted to a convention of delegates, chosen in each state by the people thereof, under the recommendation of its legislature, for their assent and ratification; and that each convention assenting to, and ratifying, the same, should give notice thereof to the United States in congress assembled.

Resolved, that it is the opinion of this Convention, that, as soon as the Conventions of nine states shall have ratified this constitution, the United States in congress assembled should fix on a day on which electors should be appointed by the states which shall have ratified the same, and a day on which the electors should assemble to vote for the president, and the time and place for commencing proceedings under this constitution: that, after such publication, the electors should be

appointed, and the senators and representatives elected: that the electors should meet on the day fixed for the election of the president, and should transmit their votes, certified, signed, sealed, and directed, as the constitution requires, to the secretary of the United States in congress assembled; that the senators and representatives should convene at the time and place assigned; that the senators should appoint a president of the senate, for the sole purpose of receiving, opening, and counting the votes for president; and that, after he shall be chosen, the congress together with the president, should, without delay, proceed to execute this constitution.

By the unanimous order of the Convention,

GEORGE WASHINGTON, president.

William Jackson, secretary.

Memorial of a Society, instituted in Pennsylvania, for promoting the Abolition of Slavery, addressed to the Convention of the United States of America, assembled at Philadelphia.

To the honourable the Convention of the United States of America, now assembled in the city of Philadelphia, the memorial of the Pennsylvania society for promoting the abolition of slavery, and the relief of free negroes unlawfully held in bondage.

The Pennsylvania society for promoting the abolition of slavery, and the relief of free negroes unlawfully held in bondage, rejoice with their fellow-citizens, in beholding a convention of the states assembled for the purpose of amending the federal constitution.

They recollect, with pleasure, that, among the first acts of the illustrious

P U B L I C P A P E R S. (111)

			£.	s.	d.	£.	s.	d.
Bucks	—	—	44,392	15	3	31,745	16	—
Cambridge	—	—	28,921	5	7	18,079	10	10
Chester	—	—	40,247	7	11	29,644	13	2
Cornwall	—	—	31,215	8	—	22,004	11	10
Cumberland	—	—	12,469	14	8	8,029	19	2
Derby	—	—	24,984	14	3	17,441	1	8
Devon	—	—	85,492	13	4	62,481	2	6
Dorset	—	—	35,315	1	9	24,538	5	8
Durham	—	—	22,135	—	2	14,440	13	4
Essex	—	—	100,068	5	8	74,067	3	5
Gloucester	—	—	70,208	7	5	53,812	3	1
Hereford	—	—	18,178	—	8	10,393	7	2
Hertford	—	—	36,202	11	—	25,486	9	—
Huntingdon	—	—	13,503	3	7	7,659	3	11
Kent	—	—	116,477	17	11	80,150	10	—
Lancaster	—	—	80,950	13	2	52,220	—	11
Leicester	—	—	33,448	14	10	24,339	16	4
Lincoln	—	—	42,289	2	5	31,830	8	7
Middlesex	—	—	103,800	16	2	80,226	18	—
London	—	—	56,449	14	1	39,067	—	2
Westm.	—	—	52,714	4	8	44,969	3	1
Monmouth	—	—	10,129	14	—	5,575	1	7
Norfolk	—	—	101,223	13	4	64,296	13	10
Northamp.	—	—	49,928	15	10	35,232	15	8
Northumb.	—	—	21,785	13	3	14,698	12	—
Nottingham	—	—	21,461	4	8	11,833	1	11
Oxford	—	—	40,116	2	4	28,750	4	9
Rutland	—	—	3,750	9	9	2,664	6	6
Salop	—	—	36,116	5	6	22,316	10	1
Somerset	—	—	70,946	5	8	50,171	5	2
Southampton	—	—	68,822	17	8	48,928	8	2
Stafford	—	—	45,215	12	—	32,082	17	1
Suffolk	—	—	72,518	1	9	56,804	0	5
Surrey	—	—	76,795	6	4	49,743	19	8
Suffex	—	—	79,424	4	11	54,734	8	7
Warwick	—	—	67,772	17	6	44,070	11	—
Westmoreland	—	—	5,942	7	9	2,834	8	—
Wilts	—	—	67,427	—	11	54,021	10	10
Worcester	—	—	38,307	16	—	26,755	—	9
York, E. R.	—	—	16,090	16	9	11,036	9	7
N. ditto	—	—	20,072	—	9	11,626	1	8
W. ditto	—	—	70,062	11	5	50,688	1	5

W A L E S.

Anglesey	—	—	1,218	—	11	169	1	9
Brecon	—	—	4,603	12	1	2,407	15	2
Cardigan	—	—	2,617	2	8	1,084	18	1
Carmarthen	—	—	6,777	14	10	2,948	4	8

Carnarvon.

	£.	s.	d.	£.	s.	d.
Carnarvon	1,797	13	7	471	17	8
Denbigh	11,048	17	—	5,364	14	5
Flint	8,300	1	5	4,043	12	—
Glamorgan	10,351	9	8	5,300	19	11
Merioneth	2,376	13	11	1,046	16	5
Montgomery	9,687	11	1	5,509	15	7
Pembroke	5,779	3	7	3,049	8	3
Radnor	4,351	15	2	2,254	9	11

T O T A L.

ENGLAND	2,215,774	2	5	1,496,122	6	5
WALES	69,129	16	6	33,650	13	10
Total	2,184,904	18	11	1,529,780	—	1

The Thirteenth Report of the Commissioners appointed to examine, take, and state, the Public Accounts of the Kingdom.

“ In our inquiries into the manner in which the public accounts are audited in the office of the auditors of his majesty’s imprest, those which have as yet come under our consideration, are accounts of the expenditure of money issued, the greatest part of it, from the exchequer; but there are likewise, upon the certificate of accounts depending in the auditor’s office, accounts of receipts of money levied upon the subject and paid into the exchequer, which are equally objects of his jurisdiction.

“ Of these receipts, the customs being the most considerable, we directed our attention to that branch of the public revenue.

“ We required from the auditors of the imprest the last declared accounts of the customs, with the books of accounts, and other materials from whence they were formed. Two accounts were transmitted to

us pursuant to this requisition; the one the account of William Mellish, esq. receiver general and cashier of his majesty’s customs, new and additional impositions, for one year, ending the 5th of January 1782; the other the account of Hugh Valence Jones, esq. comptroller general of his majesty’s customs for the same year; and both declared upon the 18th of December 1783. These accounts were made up from various books and other materials; as many of which as were necessary for our information, were sent to us from the auditor’s office: and from the inspection of them, and the examinations of Charles Harris, esq. one of the deputy auditors of the imprest, Mr. John Mills assistant to the receiver general of the customs, Mr. Joshua Powell, first clerk to the comptroller general, and Mr. John Dalgly, deputy supervisor of the receiver general’s receipts and payments, we have been made acquainted with the manner in which these accounts are prepared by the officers of the customs, and examined by the auditors of the imprest.

“ The

"The customs are those duties which are payable to the king, either upon the exportation or importation, or carriage coastwise, of certain articles of commerce. They are collected by 103 officers, 5 of them resident in London, 72 at the out ports, and 26 in the plantations. All these collectors either pay or remit the whole or part of the duties they collect to the receiver general of the customs. From the collectors in the port of London he receives either money or bonds; those at the out ports and in the plantations, remit to him their collections in bills, notes, or bullion. The receiver general, and almost every collector, make certain payments out of these duties; and thus all of them become accountable to the public.

"The receiver general passes his own accounts himself before the auditors of the imprest; but the collectors being so many in number and exercising their offices in different parts of the kingdom, it would be highly inconvenient were they obliged to pass their accounts themselves in that office; and therefore the controller general of the customs is substituted in their stead. He examines and keeps the accounts of all the collectors, and passes them as his own, every year, in the office of the auditors of the imprest: hence it arises, that every year two accounts are passed of the customs; the one, the cash account passed by the receiver general, of his own receipts and payments; the other the general account passed by the controller general, of the receipts and payments of all the collectors in England.

"The account of the receiver general is examined by the auditor of the imprest, and passed in the following manner:—The receiver

general transmits to the auditor his book of account, which contains entries of all his receipts and payments during the year, ranged under their respective heads of duties. The charge upon him is formed by the controller general: this officer, seeing in the accounts of the collectors what sums they have paid or remitted to the receiver general, extracts those sums from the several accounts of the collectors and of them forms his charge upon the receiver general, which consists of all the sums received by him, in the various branches of the customs, during the period of the account. This charge the controller general signs, and attests on oath before a baron of the exchequer, and transmits it to the auditor of the imprest. The sum thus charged upon the receiver general, includes money, unsatisfied bonds, and imprest orders. Bonds are securities given for the payment of certain duties, principally duties on tobacco, India goods, and coals. Many of the acts of parliament that impose duties upon importation, do not require from the merchant the payment of all the duties immediately upon the entry; they allow him to give a bond for the payment of either all, or certain portions of them, at a future limited time: the bond is given to the king, payable to the receiver general of the customs. The tobacco bond is taken from the merchant, at the port of London, by the collector inwards; he delivers it over as cash to the receiver general, in whose hands it remains until discharged.

"Where a sum is to be advanced to any person on account, the receiver general issues it pursuant to the order of the commissioners of the customs; this order with the receipt for the sum subscribed to it,

is retained in his custody until it is discharged; hence it follows, that the bonds being charged upon him as cash received, and the imprest orders not being produced by him to the auditors of the imprest as vouchers, in his discharge, he stands charged in his account not only with the cash he has received, but also with the sums due on these bonds, and with the sums he has issued pursuant to such imprest orders.

"The discharge contains payments of salaries; of sums pursuant to treasury warrants and orders of the commissioners of the customs; of sums upon debentures, certificates, and portage bills; and payments into the exchequer.

"The books and vouchers for these payments, produced by the receiver general to the auditor, are—The quarterly establishments—Lists of the salaries, allowances and tallies—Books containing entries of the debentures, certificates, and portage bills—together with the tallies, treasury warrants, orders of the commissioners, debentures, certificates, and portage bills, themselves—all discharged by receipts.

"To verify the charge, the auditor compares the total of each head of duty, stated in the account of the receiver general as received by him, with the entry of the same total in the charge made by the controller general; and finding them to agree, he grounds upon the authority of that officer his charge upon the receiver general.

"In proceeding upon the discharge, the auditor requires an authority and receipt for every payment. The authority for the payment of the salaries, is the warrant of the treasury annexed to the establishment, or the patents entered in the auditor's office, where the

payments are made pursuant either to a warrant of the treasury not entered in the office, or an order of the commissioners of the customs, the warrant or order must be produced to the auditor; where the payment is for an incidental charge or allowance, it must be certified by the controller general, and allowed by the commissioners of the customs.

"The authority for the payment of a debenture, certificate, or portage bill is the signature of four of the commissioners upon those instruments.

"The tallies are the vouchers for the payments into the exchequer.

"The auditor compares the entries of the payments, in the several lists and books, with their respective vouchers; he compares the totals of the payments, under the various branches of duties, in those lists and books, with the entries of the same totals in the receiver general's book of account, and if they agree, he reduces the account into the form that usage has established in the office: this official form varies from that in which the receiver general draws up his book of account; he ranges his payments under those heads of duties out of which they are paid; but the auditor distinguishes them either by the service on which they are grounded, or the authority that warrants the payment, or the instrument by which the payment is made.

"The balance being agreed, the receiver general signs his account, and swears to the truth of it before a baron of the exchequer; after which it is passed, with the usual forms, through the offices of the treasury and exchequer.

"From a state of the account before

fore us; it appears, that the total charge upon the receiver general of the customs, for the year ending the 5th of January 1782, was 3,811,242*l.* 6*s.* 3*d.* of which, the sum received during that year, in money and bonds, amounted to 3,592,610*l.* 16*s.* 9*d.*

"The total discharge was 3,565,687*l.* 15*s.* 5*d.*; of which 148,645*l.* 12*s.* 6*d.* was paid for salaries, incidental charges, and allowances; and 2,772,346*l.* 6*s.* 4*d.* into the receipt of his majesty's exchequer; and the balance remaining in the hands of the receiver general, in bonds and imprest orders, is 244,654*l.* 3*s.* 5*d.* and in cash, 900*l.* 7*s.* 5*d.*

"The account of the controller general is examined and passed in the following manner:

"The general book of account, comprehending the receipts and payments of every collector of the customs in England, in every branch of the duties during the year, is the ground of the official account formed by the auditor: This book, signed and attested by him on oath before a baron of the exchequer, the controller general transmits to the auditor; and with it, those books, accounts, lists, and vouchers, that verify the several articles therein contained. The sums with which he charges himself in this general account, are these; first, the money and bonds depending at the end of the preceding year; secondly, the receipts, in money and bonds, and of interest on bonds, during the year; thirdly, the money and bonds received from other collectors; and fourthly, the over-payments. His discharge comprehends the following heads; first, the over-payments at the end of the preceding year; secondly, the money and bonds delivered to other

collectors; thirdly, the remittances to the receiver general; fourthly, the payments of salaries, incidents, debentures, certificates; and postage bills, ranged under heads; and fifthly, the debts depending at the end of the year.

"There are three of these heads, one in the charge, and two in the discharge, to which the auditor principally directs his attention. That in the charge is, the sums received in money and bonds: the two in the discharge are, the remittances to the receiver general, and the salaries and other payments.

"The sums received in money and bonds, consist of the total sums received within the year, by each collector, in each branch of the duties: these totals are taken from a general receipt book, which contains all the sums received weekly by the collectors in the port of London, and quarterly by the collectors at the out ports; and these are extracted from the London weekly account books, and the out port quarterly account books; which being authenticated by the signature of the respective collectors and controllers, are the authority to the auditor to allow the charge, after finding, upon comparing them, that the entries in the weekly and quarterly account books are correctly cast up, and agree with the entries in the receipt book, and that the totals in the receipt book agree with the entries of those totals in the general account.

"The interest on bonds, included under this head, is an inconsiderable sum, received upon those bonds which are not discharged until after the time they become payable.

"In the discharge, the head of remittances to the receiver general contains all the sums of money which

the collectors have either paid or remitted to him during the year, together with the sum which he himself has received from the discharge of bonds in his custody. This general account contains a complete account of all the bonds due, for every branch of the customs, in the hands of every accountant; and therefore the collector inwards, having delivered to the receiver general the tobacco bonds he has taken during the year, is discharged of them in this account, and the receiver general becoming answerable for them, is inserted among the collectors, in the place of the collector inwards, as far as relates to the bonds, and is charged both with the bonds received in the year, and with those remaining in his hands at the end of the preceding year: as many of them as he converts into money, he is discharged of; and the sum produced by that conversion is considered as a remittance to himself, and placed in the column of remittances to the receiver general: the amount of this column forming a principal part of the sum charged upon the receiver general, and admitted and accounted for by him in his cash account, the auditor wants no other proof to give the controller general credit for it in this account.

"The charge upon the receiver general in the cash account, exceeds the amount of the remittances to him in this account, because it includes also the duties received by him from Scotland and the plantations, and the difference between the amount of the bonds in his hands at the beginning and at the end of the year."

"The payments of the salaries, incidents, debentures, certificates, and portage bills, are examined by comparing the vouchers for those

payments with the entries in their respective lists and books. The vouchers for the salaries at each out port, are the quarterly establishments, signed by four commissioners of the customs: those for the incidents, are the bills themselves discharged by proper receipts. A list is made including both these species of payments, and totals formed of the separate heads: This list is sworn to by the collector before his controller, and an abstract of it is signed by the controller general, and allowed by two commissioners. All these payments, with the totals, are entered into the general salary and incident book, and the totals copied into the general account. Where the salary or incident involves a computation, the auditor examines it: he sees that the casting is correct, and traces the entries of the totals into the general account.

"The vouchers for the payments upon debentures, certificates, and portage bills, are the instruments themselves properly authenticated. Each species is entered in a separate book; the payments under each head of duty cast up to a total; and the totals entered in the general account. The auditor compares these entries with the instruments, examines the castings, and compares the entries of the totals with their correspondent entries in the general account.

"The heads in the general account; the one in the charge, of money and bonds received from other collectors; the other in the discharge of money and bonds delivered to other collectors are grounded upon the following circumstances:—at some of the out ports the charges frequently exceed the amount of the duties there collected: these are called negative ports. To enable a collector to defray these charges

charges, the board of customs send him a draft, generally upon the collector inwards in the port of London, payable to him or order: this draft he negotiates; and when paid, it becomes a voucher to charge him with the sum he has received, and to discharge the collector inwards of the sum he has paid in his account with the controller general, who retains the draft in his possession, without producing it to the auditor. Upon the death or resignation of a collector, the money and bonds remaining in his hands are delivered over to his successor, whose account is charged with them, and the account of the other discharged. The auditor, in his account, does not distinguish these from the other ordinary receipts and payments of the collectors: finding them thus charged and discharged in the general account, he increases the charge upon the one, and the discharge of the other, by the same sums, upon the authority of the controller general: he has no other evidence of these transactions between the collectors; nor is it necessary he should; for, if these two heads of money and bonds received, and money and bonds delivered, are even, the charge must be right; and if the whole sum charged is accounted for, it is immaterial which of the collectors it is that renders the account of it.

"The four heads, of over-payments, and debts depending, two in the charge, and two in the discharge, require explanation.

"The merchant is allowed, by several acts of parliament, upon the re-exportation of certain articles of commerce, a draw-back, in some cases of the whole, in others of part, of the duties he has paid upon the importation. Upon other articles he is allowed a bounty: in some

upon the exportation, in others upon the importation. This draw-back and bounty is paid to him, upon producing to the collector, at the port where the goods are exported or imported, a debenture, authenticated by the proper officers, as the authority and voucher for the payment. Every debenture is payable out of some branch or branches of the customs. A draw-back being a payment back, or a return of a duty, is paid out of the same branch that received it. The act that gives a bounty, usually directs out of what duty it shall be paid: sometimes it is directed to be paid out of any money in the hands of the collector.

"The customs being divided into a variety of branches, every collector keeps a distinct and separate account of what he receives and pays upon each branch, and transmits his account, so distinguished under heads, to the comptroller general. He is not permitted to keep in his hands any considerable sum of the duties, but continues remitting them to the receiver general whenever he has opportunity. Hence it frequently happens, that a demand for a draw-back or a bounty is made upon a collector, at a time when he has in his hands either no money at all, or a sum not sufficient on the account of that duty out of which it ought to be paid; but, having money collected upon other branches, he applies that money in discharge of the debenture, and takes credit for the amount of it upon that head of duty out of which it ought to have been paid; this is called an over-payment: the consequence is, that duty becomes indebted to him for the amount of the debenture, and he stands indebted for the same sum to those duties out of which he has

paid it. These are called the debts depending.

" It is in the option of the collector out of what duties he pays, either a drawback, when he has no money in his hands upon the proper branch; or a bounty that may be paid out of any duty, except in the following instances:—There are five duties, three on coals, and two on coinage, called the excepted branches, out of which no bounty should properly be paid; the reason is, the duties on coals are considered neither as imports nor exports, but as duties paid coastwise; and the coinage duties were originally laid for the express purpose of the mint; and therefore, should a collector, having no other money in his hands, apply these duties in the payment of bounties, the controller general would correct his account, and make him indebted upon the excepted branch, and over-paid upon a branch liable to the duty.

" This mode of keeping the accounts of these payments is attended with this effect:—Though a collector may have remitted to the receiver general, or paid away every duty he has collected, so as to leave no public money remaining in his hands; yet, his accounts of the separate duties not being balanced, he may still continue to have various accounts open in the customs: almost every collector, that has ever been in office, though long dead, has nevertheless accounts subsisting; and the number of such accounts has been constantly increasing, in proportion to the increase of the number of branches.

" Every year's account of the customs must be complete, and comprehend every account not balanced; and consequently, it must include these old accounts; but they are so numerous, that were they all to be

particularly inserted, the magnitude of the annual account would be enormous, and continually increasing. To shorten this labour, there are formed three schedules; one called the even schedule, which contains a list of collectors, with their respective subsisting accounts, in which the amount of the over-payments of each is equal to the amount of his debts depending; another called a dormant schedule, including a set of collectors with their several open accounts, in which the amount of the over-payments of each is not balanced by the amount of his debts depending: these collectors are indebted to government, but their debts are considered, for the most part, as desperate. These two schedules were last regulated in the year 1776. The third, called the fluctuating schedule, is formed every year: it contains the rest of the collectors who are dead, and their accounts, either not even, or, if even, not yet transferred into the even schedule; together with those collectors in office, who, having had no transactions during the year in certain branches, are omitted in the accounts of those branches, and inserted in this schedule, with the balances under each head, as they stand at the foot of the preceding year's account. The even and dormant schedules having been inserted at length in the general accounts of some proceeding years, in the accounts of the subsequent years, the total amount only of the over-payments, and debts depending under their respective heads are inserted in the correspondent columns, with a reference to that year's account, in which they have been so inserted at large.

" The account of every collector, under every head of duty, in the controller general's account, is balanced;

lanced; consequently, if a duty is overpaid, the amount of the over-payment, being the balance due to him on that duty, is entered in the column of over-payments in the charge: if he has not exhausted a duty, the sum remaining, being the balance due from him on that duty, is entered in the column of debts depending in the discharge; but as the over-payments, though entered in the charge side of the account, are yet in fact debts due to him, and the debts depending, though entered in the discharge side, are in fact debts due from him, these balances being carried over to the succeeding year's account, he there becomes properly charged and discharged; for, in the first column, he is charged with the debts depending at the end of the preceding year; and in the first column of the discharge, he has credit for the over-payments at the end of the same year: thus the first head of charge, in the account before us, is, debts depending the 5th of January 1781; and the first in the discharge, is, over-payments the 5th of January 1781. The auditor adopts these two heads in his official account, taking them from the last declared account; but with this difference: The entry of them in the last declared account contains the debts due from, and the over-payments made by every collector, upon every branch of duty; but in the account depending, the entry contains only the totals of the arrears and over-payments upon each branch of duty, omitting the collectors.

"The over-payments and arrears of the year of the account, he copies from the controller general's account; for, having no knowledge on vouchers for the delivery over of money and bonds from one collector to another, or for any of

the transactions that give occasion to these entries, he has not the means of checking them, but must rely for the truth of them upon the credit and oath of the controller general.

"The balance consists of money and bonds remaining in arrear. The auditor does not charge this balance to the account of the controller general; for, as this account, though passed by him, is not his own account, but that of the collectors, he charges the arrears, on every branch of the duties, upon the several collectors, in whose accounts those arrears are found; and, consequently, the account of the controller general is always even and quit.

"The auditor having found upon this examination, that the general account is right, reduces it into the official form, and passes it through the proper offices.

"From the state of the account before us it appears, that the sum received on the customs, in money and bonds, by all the collectors in the port of London, and at the out ports, in the year 1781, was 4,027,342*l.* 15*s.* 7½*d.* of this sum 3,495,472*l.* 3*s.* 10*d.* was paid or remitted to the receiver general; 134,542*l.* 17*s.* 7*d.* was paid for salaries and incidents at the out ports, and the poundage on the coinage duty; and 281,628*l.* 0*s.* 7½*d.* upon debentures, certificates, and portage bills: the arrears, in money and bonds, amount to 1,463,849*l.* 10*s.* 5½*d.*

"The fees paid to the auditors of the impress, as they appear in the lists consist of different sums, paid for different parts of the account: the annual expence of them to the public, for auditing the account of the receiver general of the customs is 719*l.* and of the controller gene-

ral 809*l*. together 1,528*l*. subject, to the sixpenny duty. The authority upon which they are grounded is, either the warrant of the lord high treasurer Godolphin, in the year 1704, alluded to in our former reports, or warrants since issued, from time to time, by the treasury.

“ This inquiry into the mode of examination given to these accounts in the office of the auditors of the impost, did not supply us with all the information we stood in need of upon the subject of the customs. Much important matter still remained for investigation in this extensive and entangled branch of the public revenue. That we might come at a knowledge of all the circumstances attending it, we endeavoured to trace this duty from the merchant into the hands of the receiver general; and the accounts kept of it, from the first entry to the delivery of those accounts into the office of the auditors of the impost: attending chiefly to the outlines and principal parts of the transactions, and omitting those minute distinctions which create no material difference in the management of this revenue. To these objects, combined as they are, and blended together in the transactions they involve, we examined, in the department of the collection inwards, in the port of London, William Suckling, esq. deputy collector; Mr. James Deacon, receiver of the grand receipt; Mr. Henry Gyles, who had been employed in the receipt of the plantation duties; Mr. William Mucklow, receiver of the duties on wine; Mr. William Syms, the clerk of the rates; Mr. Hutchinson Hotherfall Browne, computer of the duties on wine; Mr. William Saxby, clerk of the warrants; Mr. William Richardson,

deputy controller; Mr. James Stephenson, first clerk in the inward department of the surveyor; Mr. Peregrine Sims, deputy surveyor general; Mr. Richard Frewin, the examiner, and Mr. John Goldham, the examiner of wine duties. In the department of the collection outwards, Mr. William Bates, the deputy collector; Mr. James Dodson, the receiver; Mr. Henry Herd, the deputy controller; Mr. Charles May, the deputy surveyor; Mr. Walter Pingo, the deputy surveyor general; Mr. Abraham Greenwood, the copying clerk; and Mr. Thomas Sutton, a deputy for foreign business. And in the department of the collection coastwise, Robert Weston, esq. collector of the coal duties; Mr. William Dobson, clerk to the controller; and Mr. Edward Millson, a clerk to the sworn coal meters, in the city of London. We examined likewise Mr. Humphry Bache, cashier to the receiver general; Mr. John Mills, assistant to the receiver general; Mr. John Dalley, deputy supervisor of the receiver general's receipts and payments; Mr. Joshua Powell, first clerk to the controller general; Mr. William Sims, one of the examiners of the out port collector's accounts; Mr. William Saxby, deputy surveyor of the out ports; and Mr. James Powerell, chief clerk to the inspector of the out port accounts.

“ A custom duty is paid either upon an import, an export, or a carriage coastwise; and either in the port of London, or at an out port. There is a difference in the circumstances attending the collection of each of these duties. In the port of London they are collected in this manner:—

“ First, as to the import duties, or duties inwards.—This collection is transacted by the deputy collector,

tor, and three receivers under him. It consists of three divisions: The grand receipt,—the plantation receipt, and the wine receipt. The duties upon imports from the plantations, and upon wine, being productive branches of the revenue, and creating much trouble in the collection, have each a separate receiver. All the rest of the duties inwards are collected by the other; and this division is distinguished by the name of the grand receipt.

“The master of a vessel that imports goods, makes a report of his ship and cargo, as enjoined by various acts of parliament, on oath, before a deputy collector inwards, and some one of the other principal officers, namely, the controller, the surveyor, or the surveyor general, and leaves the report with the collector. The merchant brings to some officer in the long room at the custom house his bill of lading, which describes that part of the cargo that belongs to him. From this bill of lading, the officer makes out a warrant, which contains an entry of all those circumstances relative to the goods in the bill of lading, which are the foundation of the duties, and is signed by the merchant. Of this warrant he makes out six extracts, called bills; one for each of the following officers; the collector, the clerk of the rates or computer, the controller, the surveyor, the surveyor general, and the examiner. Each of these bills contains the names of the ship and master, the port of lading, and those distinguishing circumstances of the goods by which the duties are regulated. The warrant and six bills are carried to the clerk of the rates; who computes the duties upon one of the bills, and enters upon that bill which is designed for the receiver, as many sums of duties as there

are branches, cast up to a total, but not the titles of the several branches: These computed sums are expressed in numbers of twenty times the amount of the actual duties, according to a mode of computation made use of in the port of London, to avoid the errors that might arise in computing the fractional parts of the several branches. Sometimes the warrant and bills are brought to the clerk of the rates, with the duties already computed and entered upon the warrant and upon one or two of the bills; and then he either examines the computation, or, if he sees reason, trusts to the accuracy of it, and puts his initials upon one or both of the bills. The warrant and six bills are then carried to the receiver; who, seeing upon one of the bills the initials of the clerk of the rates authenticating the computation, or finding upon the face of it, that the computation has been made by some known officer, either receives the duties, or desires they may be paid to the receiver general; or, if they have been already paid, upon the receipt of the receiver general being produced, he enters upon the warrant (unless entered before) in figures, the particular sums payable on each branch, with the total, omitting the titles, and signs his name to the total. If the warrant contains the duties, he compares them with the entries on the bill, and signs the total; which signature implies that has received them: he enters upon the warrant the day of the month, and the number, and puts the same number upon the six bills; he retains one of them, and delivers the other five, with the warrant, to the clerk of the warrants; who procures to the warrant the signature of the examiner, and of one other of the three principal officers above mentioned, and puts the bills

bills into five boxes, for the computer, the controller, the surveyor, the surveyor general, and the examiner; each of whom takes his bill from his own box. At the end of the day, the warrant being completely signed, the description of the goods upon it is compared, by the clerk of the warrants, with the like description upon the bills of the computer, and of some two of the officers: he enters the warrant in his warrant book, and delivers it to the land waiter, as the authority for permitting the goods to be landed; and, after the ship is cleared, it is deposited with the jerquer.

The mode of proceeding, relative to the receipt of these duties, is nearly the same, to which ever of the three divisions they belong, except in the receipt of the wine duties.

Wine, besides the duties payable to the king, is subject to two others, paid upon the import; the one by natives, called *prifage*; the other by strangers, called *butlerage*. These duties are of very ancient date; and have been, as we apprehend, long ago granted away from the crown. *Prifage* was a right in the crown to take one ton where ten, and two where twenty tons or upwards were imported, by natives not exempted. This duty, at first taken in kind, has, time immemorial, been compounded for, by the payment in the port of London, of 2s. a ton, and at the out ports, of 10s. a ton, on all wine so imported. Strangers, not being subject to *prifage*, paid in lieu of it *butlerage*; which is 2s. per ton on all wines imported by them, whether into the port of London, or at an out port. The *prifage* tons are expressly excepted, by the act of tonnage and poundage, from the duties imposed by that act; and from the coinage duty, by the

construction of the 18th of Charles the Second, chapter the fifth.

The exemption from these three duties, the old subsidy, the additional duty, and the coinage, enhances the value of the *prifage* tons above other tons, to the amount of those duties; and, therefore, the merchant pays to the grantee of the *prifage* duty that amount, in addition to the composition of 2s. per ton; and upon the same ground he pays him likewise the two imports of 1779 and 1782, upon the *prifage* tons; for those acts, having imposed the 5 l. per cent. upon the amount of all the duties then payable to the king, the three duties above mentioned on the *prifage* tons, not being then payable to the king, have been considered as exempt from those imposts; and the value of the *prifage* ton being increased above the other tons in proportion, the amount of those two imposts upon the *prifage* tons have been paid by the merchant, ever since those acts, to the grantee of the *prifage* duty. This duty must be paid prior to any other; The collector must not receive the rest until he sees that *prifage* is paid; and, therefore, the warrant, and one bill, is first brought to the butler, or *prifage* master. The warrant contains those duties only payable to the king, not the *prifage* duties. The butler computes the duties, enters them upon the bill, casts them to a total, and, if they are rightly computed, signs the warrant. This signature being evidence to the collector of the payment of the *prifage*, and the deputy *prifage* master being at this time also computer of the duties on wine, he relies upon the computation, receives the duties as entered upon the warrant, and signs it.

Secondly, as to the export duties, or duties outwards. The collector

lector outwards is the officer who receives these duties.

"A ship, designed for a foreign voyage, is entered by the master or owner with the collector. The entry describes certain circumstances relative to the ship, required by acts of parliament. The merchant intending to export British manufactures, brings to a clerk in this office a warrant, describing the goods he designs to put on board that ship. This warrant being reduced into the useful form, is signed by the merchant, and left with the collector. A copy of it is made out on parchment, called a cocket. The duties are computed, and their several branches entered upon both the warrant and cocket. The collector compares them together, marks the cocket with the initials of his name, and, upon receiving the duties, signs his name under them upon the cocket as his receipt. Four copies are made of this cocket (but without the duties), and carried with it to the controller, the surveyor, the surveyor general; and copying clerk outwards; each of whom keeps a copy, and adds his initials to the cocket. The controller then puts to it the seal of office; and, being signed by the collector and controller, or some one other of the principal officers, it is delivered to the merchant, as a warrant to the searcher, to permit him to ship the goods described in it.

"Thirdly, as to the duties coastwise. These arise principally from coals; which being of different kinds, the quantity is computed of some by the weight or ton, of others by the measure or chaldron. This measure is likewise different at different places. The chaldron at the port of lading, whether Newcastle or Sunderland, is more than the chaldron at the port of London

(which is according to the Winchester measure) in the proportion nearly of 21 to 11. The ship loaded with coals is entered with the collector of the coal duties within four days after she has passed Gravesend. The master produces to him a cocket, describing the quantity of coals on board the ship, as measured by the chaldron, according to the measure in use at the port of lading; and either pays into the hands of the receiver general, or deposits with the collector, a sum computed upon the quantity, sufficient to answer the duties; or otherwise, gives his bond, with one surety, to the collector, to pay the duties which shall become due upon the quantity that the sworn meter shall certify to have been delivered from the ship. In either case, of the deposit or bond, the duties must be discharged within 16 working days after the entry, or otherwise the proprietor loses the discount of two and one half per cent. allowed him upon the amount of the three old duties. A warrant is filled up from the cocket, the sum deposited entered upon it, and, being signed by the collector and controller, it is transmitted to the coal meter, as his authority for delivering the ship. After the ship is cleared, the coal meter certifies upon the back of this warrant the number of chaldrons delivered, according to the poole measure. This certificate being brought to the collector, he computes the duties upon the quantities certified, and enters the total of them in the margin of the certificate. The controller re-computes these duties, and either enters his own computation in the other margin of the certificate, or marks that of the collector, to signify his agreement with him. The collector then settles the duties with the fac-

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not. Where a deposit has been made, if it exceeds the amount of the duties, as it most frequently does, he returns the surplus; if it is less, he receives the deficiency. A separate account being kept of the duties and deposits, as the certificates are produced, and the duties computed upon them and received, the collector becomes charged with the duties, and discharged of the deposits. If a bond has been given, the factor pays the duties usually to the receiver general, leaves his receipt with the collector and takes up his bond. The certificate remains filed in the office.

“This is the usual mode of proceeding in the entry of the goods, and in the computation and payment of the duties; but the hurry and multiplicity of the business frequently occasion a deviation from the order in which the transactions are here described to follow each other; yet not so as to disturb those circumstances that are essential to the accuracy of the computation; or the security of the receipt.

“Besides these three; there are two more collectors, both outwards, in the port of London; a collector of the duties on wool and leather, and a collector of the duties on white woollen cloths. But the produce of these duties being represented to us as very inconsiderable, we did not think them important enough to require a particular examination.

“The computation of the duties is a material part of these transactions. There is some rule for finding out the quantum to be paid for every duty; and the terms of that rule are defined by the act that imposes the duty. The legislature assumes some quality or circumstance belonging to the article of commerce, as the measure by which the duty

is to be regulated and ascertained. It is in some cases a determinate sum; in others a certain portion of a sum, to be estimated either upon a given quantity, value, measure, number, or weight, of the subject matter, or to be computed upon the aggregate of some former duties. The most ancient customs payable to the crown, now subsisting, are those imposed by the 12th of Charles the II. chapter the 4th, called the act of tonnage and poundage. The circumstances adopted by that act, as the measures of the duties, are—the quantity—and the value. The objects of the act are, wine, rated goods, and a species of woollen cloths. Wine being a subject of liquid measure, a certain sum was imposed upon a certain quantity, viz. a ton; whence this duty obtained the appellation of tonnage. The rated goods are enumerated alphabetically in a schedule annexed to, and forming part of the act, and called the book of rates. Upon each of them a certain value or rate (whence they derive their name) is fixed, according either to the quantity, the measure, the number, or the weight; and a certain portion of a pound sterling, computed upon the amount in value of the whole quantity imported or exported, estimated according to the given rate, is the duty imposed upon them, and from thence it is denominated a poundage. The duty upon woollen cloths, being a certain sum upon every piece of certain dimensions, comes under neither of these denominations, hence these three, the tonnage, the poundage, and a specific sum upon a specific article, comprehend all the custom duties imposed by that act. Subsequent acts of parliament, finding new objects for this duty, introduced new rules of computation adapted to those objects:

jects: and other acts, imposing additional duties upon the objects of former acts, and assuming new measures of computation, have varied and multiplied the rules for finding out the amount of the duties payable upon the same article; and a variety of articles of different kinds being frequently comprehended in one bill of lading, the computer is obliged to have recourse to a still greater variety of rules, before he can come at the amount of the duties payable upon the goods contained in one single bill of lading.

“ The subject matter of the duties we have hitherto been describing are, either the rated goods, that is, those articles of commerce enumerated in the book of rates annexed to the act of tonnage and poundage; and in the additional book of rates established by the act of the 11th of George the First, chapter the 7th, upon various goods omitted in the first book, or goods charged with a specific duty: but there are other species of goods subject to customs, not included in either of these descriptions, and called unrated goods. These goods pay duties ad valorem, that is, the value is the measure of the duty; and that value is ascertained of some by the oath of the importer, of others by the sale.— Where the oath of the importer determines the value, that oath is taken upon the importation, before certain officers of the customs; and as a check upon the oath, and to prevent fraud, by the regulations annexed to the 11th of George the First, chapter the 7th, the officers are at liberty to take the goods from the importer at the value sworn to, paying him back the duties he has paid for them, and allowing him ten per cent. more than the value he has sworn to. These goods must then be sold publicly; and the overplus of the sum produced by the

sale, above the value sworn to and the duties, is equally divided between the crown and the officers. If sold for less than the value sworn to, the crown sustains the loss.— Where the value is ascertained by the sale, the duties are computed, either upon the gross value, that is, the price the goods are sold at; or the reduced value, that is, the price they are sold at, after certain deductions. This measure of computation is grounded upon the act of the 2d and 3d of Anne, chapter the 9th, and relates to certain unrated goods, imported by the East India company. The deductions directed by that act to be made from the price at the sale, and now in use, are, an allowance of 6½ per cent. upon that sum to the company for their charges; and the amount of the net duties then payable to the crown upon the remainder. The purchaser of these goods buys them free of duties: the company are to pay them; and the sum of duties they are to pay, depends upon the sum produced by the sale. This sum, therefore, contains the allowance, the duties, and the value to the company; and, being divided into these three parts, gives the duties payable to the crown upon the reduced value.

“ The multiplicity and intricacy of the rules for finding out the duties, render it necessary to interpose checks upon the computation. The collector is the officer charged with and responsible for, the duties. It concerns him, therefore, as well as the public, that they should be accurately computed. The collector inwards is assisted, in the computation of the duties, by the clerk of the rates, called also the computer. One officer in this department, computes the duties on wine; the other, all the rest of the duties. The collector, previous to signing
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his name to the duties upon the warrant, must be satisfied that the sums entered upon the bill retained by him, being the same with those upon the warrant, have been either computed or revised by the clerk of the rates, or by some other known officer, on whose accuracy he can rely.—After the business of the day is closed, he enters in his cash book, from these bills, expressed in their real net sums, every article of duty he has collected during the day, under its proper branch. The computer makes from his bill the like entries in his cash book. Four other officers, the controller, the surveyor, the surveyor general, and the examiner, have each of them a similar bill delivered to him by the clerk of the warrants, and is thereby furnished with the same materials for forming the computation. Each of these officers computes the duties upon his bill, and makes daily entries of the duties in his cash book, similar to the entries made by the collector in his cash book. As often as business will permit, these five officers examine and compare together every entry in their respective cash books, with the correspondent entries in the cash book of the receiver. The articles that disagree are recomputed; if they all agree, each casts up to a total the entries of each day, under every branch of duty, in his own cash book: of these daily totals, he forms weekly totals, and reduces them to one entire sum; which is the amount of the duties collected by each receiver during the week. These several totals are examined and compared together by the same officers, in like manner with the daily entries; and thus five officers become checks upon the collector, not only as to the computation of every article of duty in every warrant, but as to the sum of

duties collected every day and every week, by every receiver.

“ The collector outwards has no computer to assist him previous to his receipt of the duties: he computes them himself, and enters the several branches upon the warrant and cocket, and inserts in his cash book every article of duty under its proper head; but three of the officers who are checks upon the collector inwards, the controller, the surveyor, and the surveyor general, are checks likewise upon the computation and receipt of the collector outwards: each of them has a bill or copy of the cocket, and casts upon his own bill all the branches of the duties; and either that day, or the next morning, they all compare the description of the goods, and the sums of the duties, entered upon their bills, with the like description upon the warrant in the hands of the collector. The copying clerk outwards does not compute the duties upon his bill, but he attends at the same time with the checks, to see that the description of the goods upon the bill agrees with the like description upon the warrant: he enters the bill in a book kept for that purpose, and transmits it to the inspector general of the imports and exports. Each of the three checks makes the like entries of the duties in his cash book as are made by the collector. These entries are cast up to totals, and compared and examined with the correspondent entries in the cash book of the collector, in the same manner as the entries of the collector inwards are examined by his checks. The collector coastwise is checked in his computation and receipt by a controller and examiner. The collector and controller having computed the duties upon the certificates, the collector enters in his book

books the articles on each certificate under their several branches, with the deposit, and the number of chaldrons of coals delivered. The controller enters in his books, in one sum, the amount of the duties on each certificate brought by different factors, or the amount of the duties upon all the certificates brought by the same factor: he enters likewise the deposits from the warrants, and the number of chaldrons delivered from the certificates. Each of these officers form daily and weekly totals, both of the duties and deposits, and compare together those totals. Each of them, at the close of the week, computes the amount of every branch of the duties upon the number of chaldrons certified during the week, and they compare together their respective entries of the quantity and of the duties. Every quarter a similar computation and comparison is made by both these officers, upon the amount of the weekly quantities certified during the quarter, cast up to a total.

"The examiner interposes his check upon the collector once a quarter. This officer receives from the collector his quarter book, from the coast collector a quarterly list of the coal ships, and from the coal meters, from time to time, a duplicate of the certificates. Thus furnished with the quantity of coals delivered during the quarter, by computing the duties upon that quantity he checks the computation and receipt of the collector.

"The difficulty arising from the variety and intricacy of the rules of computation, renders the interposition of checks necessary, not only upon the receipt of the duties, but likewise upon many of the payments, particularly the payment of the drawbacks. An entry for ex-

portation, of goods entitled to a drawback, frequently comprehends a variety of articles, sometimes 25 in number, imported by the same or different merchants, at the same or different times, to be exported to the same or different places. Upon some of them all the duties, upon others portions only of the duties paid, are drawn back; and sometimes different portions of different duties upon the same article, parts of which have been imported at different periods, and the drawback upon that species varied by the legislature in the intervening time: every one of these circumstances requires a different rule of computation.

"Debentures, whether for a drawback or a bounty, undergo a variety of formalities and examinations, and must have a number of signatures to render them complete; they are made out by the collector outwards; the one from a certificate, signed by the clerk of the certificates, that the duties under their several branches, upon the articles entered for exportation therein enumerated, have been paid; the other from the bond given by the merchant for the exportation of the goods specified in the entry. The goods on which either a drawback or the bounty is computed, are those certified by the searchers to have been actually shipped.—On a debenture for a drawback, the duties to be paid back, upon every branch, are computed, and endorsed in figures, by the clerk of the rates. The controller checks this computation. The examiner computes, and inserts them in figures upon the back of the debenture, with the titles of the branches, and the amount in words at length.—On a debenture for the bounty, the collector outwards computes, and en-

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ters, at different times, the several branches, and the amount in figures and in words at length. The controller, surveyor, and surveyor general, successively check this computation.

"Certificates of over entries and damages, entitle the merchant to receive back a proportion of the several duties he has paid upon the entry; and consequently the computation of this proportion is similar to that of the duties themselves.

"The portage is an allowance to the master of a vessel, in consideration of his having made a just report of his cargo, of a certain sum, in some cases of 6s. 8d. in others of 10s. per cent. upon the amount of that branch called customs, arising from his cargo: it is paid to him upon his requisition. From hence it appears, that to all these payments some computation is necessary, distinguished only by the different degrees of labour and difficulty attending it.

"The duties being thus collected, and the computation and receipt checked, by officers appointed to that service, they are paid by the collectors and receivers themselves, or by their direction, into the treasury; that is, the office of the receiver general.

"The receiver of the grand receipt is directed by his deputation, to pay to the receiver general the money he shall collect each day; and, at the end of every quarter, to balance as near as possible, the accounts of all the money he shall have received during the quarter, by placing it to the several funds to which it shall be applicable. All the collectors and receivers ought to pay into the treasury the duties they collect during the day, reserving only so much as they have reason to believe will be soon demand-

ed of them on account of the revenue. The usual time of the day for shutting up the treasury is two o'clock; but the receiver, for the accommodation of the merchant, stays at his office, and continues in the receipt of duties, beyond that hour. Every day, just before the treasury shuts, he pays in nearly the amount of the duties he has collected during the day, and the remains of the preceding day, retaining a sum sufficient to answer the payments he expects to be called upon to discharge. The sum received in the day by the collector outwards, not being considerable, he makes no daily payments to the receiver general; but at the end of the week he pays, in one entire sum, as near as may be, the amount of his collection during the week.

"The payments made to the receiver general, by the collectors outwards, and coast-wise, are of cash only. Those made by the receivers inwards consist of cash, and debentures for drawbacks and bounties. Some of these debentures, being paid by the receivers to the merchants out of the duties they have collected, are delivered in to the receiver general as a part of those duties; others of them are taken by the receiver of the grand receipt from the East India company, in discharge of certain duties. The merchant, having purchased from the company, and exported, goods entitled to a drawback, procures a debenture for that drawback, and pays it to the company in part of his purchase money. The company pay it to the receiver, on account of the duties they owe for those goods, and which are secured by their bond. This debenture, being accepted by the receiver as cash, is paid in as cash to the treasury.

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"The receipt we have been describing is of duties paid upon the entry; but there are two species of goods (exclusive of coals, described above) the duties on which are not paid upon the entry, but secured by bonds; these are, East India goods, and tobacco.

"The East India company, for every one of their ships, enter into four bonds, in penal sums, to secure the payment of the duties; one for the rated duties, payable within twelve months, by equal half yearly payments; another for the unrated duties; a third for the fifteen per cent. on muslins; and a fourth for the ten per cent. on callicoos. These three last are payable within stated periods from the time the goods are sold. The bonds for the rated duties are left with the receiver of the grand receipt. After the goods are landed, the surveyor of the East India company's warehouses sends to him a warrant, describing the goods, and signed by eight officers: the company send him the six bills: the duties are computed upon the warrant and bills, and pass the checks in the usual manner. The receiver enters these bonded duties in a separate account in his cash book, under their proper branches, and charges himself with them in his weekly abstract, under the head of bonds charged: they are cast up to totals, and examined with the correspondent account of the checks, in the same manner as the duties received. As the complete moieties of these duties are paid to the receiver, his cash account is charged with them, and his bonded account discharged; and when he has received the whole of the duties he delivers up the bond.

"The bonds for the unrated duties are delivered to the collector in-
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wards. The measure of these duties being ascertained by the sale, the goods are entered upon the warrants and bills; and the duties computed and entered in the usual manner, and paid to the receiver. And upon the certificates of the computer and comptroller, that all the goods contained in the warrant have been sold, and the duties brought to account in the kings books, the collector delivers up the bond.

"The tobacco bonds are taken by the receiver of the plantation duties, but not until after the quantity of tobacco has been entered upon the warrant and bills, and the duties computed and entered in the usual manner. The bonds are then given for double the amount of the duties, and the branches are entered in the margin of the bond. The comptroller witnesses the execution, and enters the branches of the duties in his book. The receiver charges himself with them, under their several branches, in his account of bonds charged. Every month he delivers all these bonds to the receiver general, and discharges his account of bonds.

"This bonded account is thus transferred to the receiver general; who charges himself with the number of bonds delivered to him, and with the amount of the duties secured by them. As these duties are paid to him, he enters them in his cash account, discharges his bonded account, and delivers up the bonds.

"The payments into the treasury are the only payments made by the collectors outwards and coastwise. The three receivers inwards make other payments out of the duties they collect. They all pay those debentures, which they deliver as cash to the receiver general; and the receiver of the grand

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receipt pays other debentures, which he does not deliver to the receiver general; and the receiver of the wine duties pays imprest orders; both of which are produced by them, and allowed as vouchers in their discharge, in the accounts they severally pass with the comptroller general.

"These daily payments are payments on account of the duties; but at the end of the week, every collector and receiver pays into the treasury the whole, or nearly the whole, of the duties then remaining in his hands, and at the same time delivers to the receiver general an appropriation or arrangement of all duties he has paid in during the week, under separate and distinct heads or branches of duties. This appropriation is grounded upon the acts of parliament that impose the duties.—As the legislature have from time to time, for the increase or improvement of this revenue, either selected new objects, or laid additional duties upon the objects of former acts, they have directed, in many of the acts, distinct accounts to be kept of the duties to arise from each act, by the officers both of the custom and of the receipt of his majesty's exchequer; and, where the acts have been silent as to this distinction, yet these officers have kept the accounts separate. Hence the customs have, in process of time, branched out into the variety of heads, to which, as they arose, the officers of the customs have given titles, expressive, in general, either of the date, subject matter, design, or rate of the duty.

"The number of branches now subsisting, in the port of London and the out ports, is sixty-eight; of which the department inwards comprehends fifty-three. Of duties expired, but of which the accounts

are still open, and rendered every year, by the comptroller general, to the auditor of the imprest, there are twenty-seven, and five more, called the plantation duties; in all one hundred.

"It is in consequence of the several acts, that the duties are entered in distinct sums upon the warrants, cockets, and bills; and in columns, under separate heads, in the cash books of the collectors, receivers, and checks.

"As the same accounts must be distinguished in the receipt of the exchequer, the officers in that department must receive the appropriation from the receiver general: he must receive it from those who collect the duties, and pay them to him. The cash books of every collector and receiver contain an account of the amount of the daily and weekly receipts, actually appropriated under their proper branches; and his weekly appropriation, given to the receiver general, should contain the net surplus of his receipt above his payments in each branch: but the payments made by the receiver general, out of the different branches, occasion a deviation from this appropriation. He makes up his account at the end of every week, and pays his balance into the exchequer. The only appropriated sums he receives, in the course of the week are, the collections from the out ports, and the payments on bonds; but he is continually, either pursuant to orders, or in the usual course of business, making payments out of certain branches, without a possibility of knowing, at the time, whether the receipt upon those branches will, at the end of the week, be sufficient to balance the payments: this occasions frequent over-payments in various branches. It is the

the usage in the office of the receiver general, and necessary to prevent constant confusion in his account; not to permit any branch in his weekly account to be overpaid: to prevent it, therefore at the end of the week, after he has cast up his receipts and payments upon every branch, he delivers to the receivers inwards, and sometimes to the collector outwards, a list of all the branches overpaid, and what sums of the receipt of the week he wants to have appropriated under those branches: on the small unproductive branches he requires the exact balances; on the productive branches, entire sums, rather more than the balances. The receiver delivers in to him an appropriation of all the duties paid by him into the treasury during the week, signed by him, and examined and agreed by a clerk in the office of the receiver general. In this appropriation he gives him the sums under the branches he has required, and appropriates the residue among the other branches. As the duties so appropriated, at the request of the receiver general, must be taken from other branches, the receiver endeavours, in the appropriation of the next week's receipt, to restore these loans of the preceding week, from the branches to which they had been added, to those whence they were taken.

"The receiver general does not interfere in the appropriation of the coal duties; for, debentures for drawbacks, and certain salaries, being the only payments made out of them by the receiver general, the receipt in every branch always exceeds the payments. Upon the last day of every week, the receiver general makes out four accounts, or certificates. One of them contains the surplusses of his receipts, above

his payments, in every branch, during the week, pursuing the appropriation delivered to him by the collectors and receivers. On the succeeding Wednesday he delivers this certificate, and pays into the exchequer the amount of these surplusses. The other three contain, each of them the amount of the duties received by him, during the week, from all the collectors and receivers in the port of London, and at the out ports, under each branch, according to the appropriation of the collectors and receivers; and the amount of the payments made by him in each branch, and the surplusses of each branch to be paid by him into the exchequer. He signs these certificates, and sends them, one to the lords commissioners of his majesty's treasury, one to the commissioners of the customs, and the third to the supervisor of his receipts and payments.

"Every week, every collector and receiver makes out an account of his receipts and payments during the week. The receipts are the totals of each branch of the duties received in the week, as entered from the warrants, cast to one total, which is the amount of the receipt of the week. The payments are the sums paid during the week into the treasury; which sums, in the accounts of the three receivers inwards, consist of cash, and debentures paid as cash: but the account of the last week of the quarter, of the receiver of the grand receipt, contains also the amount of those debentures which he has paid during the quarter, and not delivered to the receiver general; and the account of the receiver of the wine duties, includes the imprest orders he has paid during the week. The payments to the receiver general are appropriated, in all these

accounts, in the same manner as in the appropriation papers delivered to him by the collectors and receivers.

"The debentures paid by the receiver of the grand receipt, and not delivered to the receiver general, are passed every quarter with the controller general, and appropriated under those branches out of which they were paid.

"The imprest orders, paid by the receiver of the wine duties, are passed once a year with the controller general; they are much the greatest part of them, paid out of one branch only, the impost on wine and vinegar; and, consequently, appropriated under that branch. These debentures, and imprest orders, are sent, with the accounts, to the controller general, as vouchers for those payments.

"The collector outwards, paying his receipt only once a week, upon the last working day, into the treasury, generally appropriates the sum he pays in, to one branch only, and to that branch which has produced to him the greatest portion of duties: in his weekly account, he appropriates this sum to the same branch under which he has paid it in to the receiver general.

"It has been usual for these collectors and receivers, in the last week of every quarter, to appropriate the receipt of that week among the branches, in such proportions as to bring the receipts and payments, under each branch, as near as possible to a balance; but the great increase lately in the number of branches, has delayed the completion of this part of their business. The weekly account and duplicate are both signed by the collector or receiver, as vouching both sides of the account, and sent

to his controller, and to some other of his checks: they compare the receipt side with the correspondent accounts in their own books, and sign both the account and duplicate, as vouching the truth of the receipt, but not of the payments. The account is sent to the controller general, and the duplicate to the supervisor of the receiver general's receipts and payments. This last officer, being thus possessed of the weekly certificates of the receiver general, and of the duplicates of the weekly accounts of the collectors and receivers, by comparing the receipts admitted in the certificates, with the payments stated in the duplicates; knows, with certainty, the amount of the payments into the treasury, from the port of London, during the week; and sees that the receiver general has charged himself with that amount: he is a check likewise upon the bonded account of the receiver general, and upon the deposits made, and the interest due on the bonds.

"The receiver of the plantation duties, at the time he delivers the tobacco bonds to the receiver general, sends to the supervisor a schedule of them, signed by his controller. The receiver general sends to him the bonds themselves. He compares them with the schedules, enters them in his account, and returns them to the receiver general. As these bonds are discharged, the receiver general certifies to him the cash he receives, and on what bonds. Where a merchant makes a deposit with the receiver general in part discharge of his bond, he brings the receipt of the receiver general for that deposit, to be registered by the supervisor, before he pays it to the receiver general; and where interest becomes due on a bond, the supervisor calculates and enters it before

fore it is paid into the treasury; and, occasionally, the supervisor examines the bonds remaining in the custody of the receiver general, in order to be satisfied that he possesses the number he stands charged with.

“ Upon the remaining duties that come to the hands of the receiver general, namely the collections at the out ports, in the plantations, and in Scotland, the supervisor is no check: no account of them is transmitted to him. To watch the receipt of these duties, is the province of the controller general. When these collectors remit to the receiver general, their respective controllers send to the controller general accounts of those remittances. The weekly certificates of the receiver general, sent to the controller general from the board, shew how far he has charged himself with those remittances.

“ The payments by the receiver general are, sums due upon debentures, certificates, portage bills, and the establishments; sums in pursuance of treasury warrants, or orders of the commissioners of the customs; and the surplusses into the exchequer. The supervisor examines them all. The receiver general sends to him every day, those books which contain the entries of the debentures, certificates, and portage bills, which he has paid the preceding day. The supervisor copies these entries; and every Saturday two clerks in each office compare the entries in both their books with the instruments themselves; and if they correspond, and have their proper acquittances, these vouchers are cancelled (by striking an iron, particularly pointed, through them) and left with the receiver general.—Copies of the establishments are sent by the board

to this office; and where a payment is directed by a patent, constitution, or treasury warrant, those instruments are there entered. The supervisor, generally, every quarter, compares the entries of these kinds of payments in the weekly certificates, with the vouchers, and with the establishments and entries of the authorities in the office, and signs his name to each voucher as a certificate to the auditors of the import that he has examined it. He examines the tallies from time to time, with the surplusses stated in the weekly certificates to have been paid into the exchequer, and signs and returns them to the receiver general. The receipts and payments of the receiver general being thus checked, and the vouchers for his payments all returned to him, examined and authenticated by officers appointed to that service, he draws up his annual account, and transmits it with the vouchers to the auditor of the import.

“ Such is the progress of the custom duties in the port of London, and in this manner are the accounts of them kept. The same rules are pursued at the out ports, as far as the difference of circumstances will admit.

“ Every out port has a collector, a customer, and a controller: the collector computes, receives, and keeps an account of all the duties. The other two are intended as checks upon him, and are equally bound to make the computations and to keep the same accounts, except in the instance of the duties on coals coastwise, which are not within the province of the customer; for the legislature has intrusted the management of those duties entirely and peculiarly to the commissioners of the customs: they are collected

and controlled by the special appointment of that board, and not, as the other duties, by virtue of the warrant of the treasury; and therefore sometimes the coal and other duties are both collected and controlled by different persons.

"Among the duties paid upon coals at the out ports, we found a duty paid at Newcastle, and not brought to the account of the public. Not being able to procure, readily, other means of information relative to this duty, we applied to Sir Blackstone Conyers, bart. collector of the customs at the port of Newcastle; who informed us, by letter, that the duty we inquired after is 1s. per chaldron, by the Newcastle measure, paid by the fitter, on account of the purchaser of the coals, at the time of clearing the ship coastwise. This duty, as well as the prisage and butlerage, has, as we apprehend, been long since granted away from the crown.

"The accounts of the out port collectors are examined by three officers at the custom house in London; the examiner, the surveyor, and the inspector of the out port collectors accounts; each of whom has a separate department in this examination.

"Every out port collector transmits to the board three accounts; a monthly, a quarterly, and an annual account. The monthly account is an abstract of all his receipts and payments during the month. This being a cash account, shews the balance remaining in his hands at the end of every month. The controller general extracts the balances from these abstracts, and transmits them to the board; who send them to the lords commissioners of the treasury. The annual account is an abstract of his receipts and payments during the year;

this is of use to the controller general; it assists him in adjusting the account he keeps in his books of the same period. Both these accounts are signed by the controller.

"The quarterly account is the subject of examination. A quarter book is transmitted to the board, by every out port collector, every quarter. It contains all the transactions of the quarter, both as to the receipts and payments, except the remittances to the receiver general: it states the circumstances of every entry, and the duties arising from it, ranged under their proper branches; together with every payment, placed under some head of duty; and with it are sent up all the vouchers for the payments. The collector and controller each sends up a similar quarter book. The examiner takes the collector's quarter book, with the debentures, certificates, and portage bills. The surveyor has the quarter books of the collector and controller. The account of the payments of salaries and incidents with the vouchers for those payments, is sent to the inspector.

"There are four of these examiners. The out ports are divided into four classes. Each examiner takes a class; and every quarter he takes a different class, by regular rotation; so that every examiner, in the course of the year, examines one quarterly account of every out port. This officer is a check, upon the computation and appropriation of the duties: he examines and sees that every duty received, and every drawback, bounty, allowance, or portage bill paid, is accurately computed and placed to its proper branch; the errors, which are very frequent, he corrects, and surcharges the collector with any deficiency; he calls up the totals,

puts his initials upon the instruments, and, at the foot of the quarter book, forms an abstract, composed, of the totals of the receipts under each branch. He signs this abstract, and delivers the quarter book to the surveyor, and the vouchers to the inspector: upon receiving back the quarter book from the surveyor, he sends it to the controller general. The surveyor, being thus possessed of the three quarter books, it is his province to compare them. He pays little attention to the account of the customer; for in all the out ports, except five or six, the collector himself is the deputy customer, and sends up, though not very regularly, a quarter book in each capacity. The surveyor depends upon the account of the controller, as the check upon that of the collector. If he finds, upon comparing them, that they agree, he signs, at the foot of the collector's quarter book, the abstract of the examiner, and returns the book to him; if they do not agree, he marks the differences in the margin of the controller's quarter book; which, with that of the customer, is deposited in this office.

"The out port collector, generally, every quarter, sends to the board a preparatory account of incidents, incurred at his port, with the bills themselves. These bills are referred to the proper officers for their examination and report; in consequence of which, the board issue their orders to the collector and controller for the payment of them. The inspector receives, either from the board or the collector, a quarterly account of his payments for salaries and incidents during the quarter, sworn to by him before his controller, and signed by both of them. With this account he receives the establishment, and the

vouchers for all the payments. He compares the entries of the payments in the account with the vouchers. He examines the formality of the voucher, and sees that it is warranted by the proper authority, that is, the establishment or order of the board. Having received from the examiner the debentures, certificates, and portage bills, he enters them, with all the other payments, in his books, and delivers the account, with all the vouchers, to the controller general. This officer, being thus possessor of complete accounts of the receipts and payments, with the vouchers of all the collectors, both in London and at the out ports, examined and checked by officers appointed for that purpose, makes up from these materials his annual account, and transmits it, with the same materials, and with the vouchers, to the auditor of the imprest.

"Besides the duties we have been describing, there is another source of revenue accruing to the crown from the customs, the produce of which is casual, and of a kind different from the rest; namely, the fines and forfeitures. These are the shares, vested in the crown by the several acts of parliament, of the penalties incurred by offenders against those laws, and of the money produced by the sale, either of goods condemned after seizure, or of goods liable to be sold under other circumstances.

"A knowledge of the manner in which this branch of the business is conducted, is conveyed to us in the examinations of William Stiles, esq. secretary to the customs; Mr. William Cooper, solicitor of the customs for the northern ports of England and Wales; Mr. Thomas Chauntrell, deputy receiver of fines and forfeitures for London; Mr.

William Williams, chief clerk to the receiver of fines and forfeitures for the out ports; and Mr. John Bastin, first clerk to the accountant of petty receipts. These fines and forfeitures are received by various persons. There are four solicitors for the customs: one for London and the western ports; one for the northern ports; another for bonds and criminal prosecutions; and another for coast bonds. The two first of these, who are the principal, receive fines, and sums arising from the compromise or composition of seizures, and the value at which seizures are appraised, when delivered upon security to answer the value in case of condemnation. Some of these receipts contain the shares of the crown only; others, the shares of the crown and officers; others, the law charges likewise. The solicitors pay the shares accruing to the crown into the exchequer, either of course, or pursuant to warrants of the treasury. They deduct the law charges, and pay the shares of the officers in consequence of the orders of the commissioners of the customs; and thus these officers become accountable to the public. Their accounts are passed by an officer in the customs, called the auditor of the solicitor's accounts. Every year the solicitor delivers to him an account of his receipts and payments during the year, with the vouchers. This auditor checks the receipts by the orders of the board directing these payments into his hands. The vouchers for the payments are the tallies and orders of the board, with the receipts annexed. The auditor, after examination, signs and certifies to the truth of the account. It is then laid before the board, and returned to the solicitor, who keeps

it with the vouchers in his own office.

" Other of the fines, and the produce of the seizures, are received by other officers.

" Where goods are to be sold, the sale is by public auction, and conducted, if in London, by the warehouse-keeper, and the money is paid to the receiver of fines and forfeitures for London; if at the out ports, by the collector and controller, and the money is paid to the collector. Notes of the seizure, in each case, are entered in the office of the accountant of petty receipts.

" In London, four officers, the warehouse-keeper, the surveyor of the warehouses, receiver of fines and forfeitures for London, and the controller, make up and sign an account of the sale; which contains among other things, the sum each article or lot is sold for. Three landing surveyors, who have attended the sale, make out the like account as a check. Both these accounts are laid before the board, and by them transmitted to the accountant of petty receipts. This officer from thence makes out an account, in which he divides the amount of the sales into the charges of condemnation and sale, and the shares of the crown and of the officers. The board, upon seeing this account, direct the payment of the charges and of the shares to the officers. The receiver retains the share of the crown, to await the orders of the board. At an out port the collector and controller make this division of the produce of the sales, and pay of course the charges and shares of the officers at the out port, and remit the shares of the crown, and of those officers who are to be paid in London, to the receiver of fines and forfeitures for the

the out ports. These remittances are entered in the office of the accountant of petty receipts.

"The shares of the crown, in the hands of these receivers, are liable to the payments of salaries, incidents and imprests, pursuant to the orders of the board; and the surplus is to be paid into the exchequer. The board frequently call for the balance in the hands of the receiver for London; and the accountant of petty receipts, from time to time, states to them that balance, and suggests how much of it may be paid into the exchequer. The board direct the payment to be made within three days; and the receiver, within three days after, produces his tally to the accountant of petty receipts. The receiver for the out ports, every fortnight, makes out an account of the cash in his hands, and lays it before the board, who order the payments to the officers. He is directed by his instructions to pay every fortnight, into the exchequer, the money then in his hands on account of the crown; but within these two years, all the payments, which had been before usually made by the paymaster of incidents, have been since made by this receiver; and these payments have not only exhausted the shares of the crown, but rendered applications for imprests necessary, in order to discharge them. The accounts of both these receivers, and of the collectors at the out ports, as far as relates to the produce of seizures, are passed by the accountant of petty receipts.

"The receiver for London passes an account of every sale. He produces to the accountant his book, containing all his receipts and payments relative to that sale, and the balance of his cash account, with

the vouchers for all the payments, except the tallies, which he has produced before. The notes of seizure having been entered in this office, and the two accounts of the sale transmitted to, and the division of the amount made by this officer, he is enabled to check the receipt side of this account; and by the vouchers, which are the orders of the commissioners, with the receipts annexed, he checks the payments. He marks every entry in the account with his initials, retains the book and vouchers, and gives the receiver an acquittance for them.

"The accounts of the receiver for the out ports undergo a double examination. One account is made out every fortnight. The accountant, after examination, certifies to the truth of it, and lays it before the board. The other, which is the final account is made out every quarter, and comprehends all the receipts and payments of the quarter. The receipts are checked by the entries of the remittances from the collectors at the out ports. The payments are compared with the vouchers, which are the orders of the commissioners, and receipts annexed. The accountant retains the vouchers, but delivers back the account to the receiver. The collector and controller at an out port send up to this office, every quarter, a state of the sales, and of the receipts and payments during the quarter, with the vouchers for the payments. The accountant relies in a great measure, for the truth of the account, upon the signature of the controller appearing upon the face of it. He examines the orders and receipts, with the entries of the payments, and keeps both the account and vouchers in his office.

"Thus have we endeavoured to trace the custom duty from the merchant

chant into the receipt of the exchequer, and the accounts of this revenue from the entry upon the warrant into the office of the auditor of the imprest.

"It remains for us to obey the injunctions of the legislature, by submitting to the wisdom of parliament such matter of observation and regulation as results from this enquiry.

"We do not find that the public profit from the examination given by the auditor of the imprest to the accounts of this office of receipt, more than they appear to have profited by the like examination given to those of the offices of expenditure, which have been under our consideration. The nation acquires from thence no additional security against errors, misapplication, or fraud, either in the collection or management of their revenue. The auditor admits the charge, both upon the receiver general and controller general, just as he receives it from the controller general, without any examination of his own, except the mere castings. He allows the discharge upon the production of the authorities and vouchers. He admits the vouchers upon the signature or allowance of the commissioners, or the certificate of the controller general; and all these vouchers have undergone a previous examination in various departments of the customs. Of the formalities of many of them the auditor can form no judgment. He is a stranger to those objects in which the public are the most materially interested; the receipt of the duties, the computation both in the receipts and payments, and the propriety and reasonableness of the various charges of management. For the truth of all these the public must still rely, as the auditor himself

does, upon the accuracy of the computers and checks, and upon the fidelity and judgment with which the authority is exercised that directs the payments, just as if no such office existed as that of auditor of the imprest; and, therefore, we are of opinion, that the interposition of the auditor of imprest, in the accounts of the customs, is useless, and ought to be discontinued; and that the condition of the finances of this country requires, that the annual expence of 1,528*l.* incurred by passing these accounts, ought, for the future, to be saved to the public.

"We do not say that the examination at present given to these accounts, in the office of the customs, is sufficient for the public security and satisfaction. Had a complete check existed in this office, it would have been difficult, without the most reprehensible negligence, for any part of the duties to have been diverted in its passage into the exchequer, or to have been detained for any time from the public service. But we are at liberty to say, that if a check, unconnected with and independent of the office of the customs, is essential to the public security, a new office must be created, or new powers given, for that purpose; for the auditor of the imprest is not that officer.

"It appears, in our eighth report, that the accounts of the excise duties are audited in a department of the excise office. The commissioners themselves are accountants. The auditor examines, draws up in the exchequer forms, and passes the accounts through the offices of the treasury and exchequer. We know of no distinction that renders this mode of audit eligible in the excise, and ineligible in the customs,

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"The commissioners of the customs are no accountants. The official checks are numerous; and it is probable, a suppression of useless, and a retrenchment of redundant offices, in the management of this revenue, may admit of the institution of an audit office, without increasing the expence of the public: nor is such a mode of audit a novelty in the customs. The accounts of the solicitors, and of the two receivers of fines and forfeitures, and of the collectors of the out ports relative to the seizures, are all passed by officers of the customs. The sum of 17,257*l.* 14*s.* 7*d.* being the amount of the receipts of the solicitors for the customs; and the sum of 143,235*l.* 17*s.* 9*d.* being the gross amount of the seizures for the year 1781, were finally audited, the one by the auditor of the solicitor's accounts, the other by the accountant of petty receipts, without the intervention of the auditor of the imprest, and without their being passed through the offices of the treasury and exchequer.

"In our examination into the custom duties paid by the subject, we found two, one on wine, the other on coals, not brought to the account of the public, but the property of subjects, under ancient grants from the crown. Every duty levied upon the subject, implies a right in the public to that duty; and ought, uniformly, to be collected by public officers, and applied to public purposes. In regulating, varying, or increasing the public duties payable upon the article liable to the private duty, the private right may interfere with that of the public; or, should it escape the public attention, as it frequently may, the legislative interposition may be attended with consequences neither foreseen nor intended. The

reason is not obvious, why the prisage wine should have been exempted from a part of the imposts of the years 1779 and 1782 laid upon all other wines. The prisage master may be considered as the importer of a certain quantity of wine, subject to certain duties, though not to all the duties payable by other importers. The legislature, attentive to the necessities of the state, seem to have intended to impose an equal rate of duty upon every object of the customs and excise, with some exceptions. A rate upon the prisage wines, equal to that upon other wines, had been 5*l.* per cent. upon the amount of the duties payable upon other wines of the same description. The constructive exemption of the prisage tons from this poundage, upon the branches to which they were not then liable, operates as a parliamentary grant of that poundage to the grantee of the prisage duties, without any apparent claim to such increase; and, therefore, we think it would tend to uniformity in the collection and application of this revenue, facilitate the acts of the legislature, and be of equal benefit, at least, to the public and the grantees of these duties, were they, by the consent of the grantees, to be re-vested in the crown for the public services, and a reasonable compensation or clear annual sum, secured by and payable out of the duties to arise from the same respective articles, vested in the grantees, under the same limitations, in lieu of and as a commutation for their rights to the duties.

"Having received, from the auditor of the imprest, the weekly accounts of the collectors and receivers in the port of London for year 1781, bound up in separate books, upon examining the entries, we found
that

that the receipts and payments of each week seldom corresponded. We have extracted from those books, and inserted in the appendix, the totals of the weekly receipts, and payments of four of them during the first quarter, and of the collector outwards during the two first quarters of the year 1781. That this inequality between the receipts and payments might be explained to us, we examined those officers. The three receivers inwards, Mr. Deacon, Mr. Gyles, and Mr. Mucklow, informed us, that the credit side of these accounts do not contain all the payments they make during the week: they both pay and detain in their hands sums out of the collection of the week, which are omitted in the week's account. The receiver general takes in, upon the day they are paid, none of those debentures which the receivers pay, either late on a Friday, or on a Saturday; and, frequently, debentures paid earlier in the week cannot, without inconvenience to both offices, be delivered to him until the succeeding week, and, consequently, they cannot be included among the sums paid to him in the week in which the receiver has discharged them.

"This receiver of the grand receipt is also continually paying those debentures which he passes with the controller general, none of which are inserted among his weekly payments, but all together in the account of the last week of the quarter. Each of these receivers retains likewise, at the end of the week, so much of his collection as he thinks he shall want to discharge such debentures as he expects will soon be brought to him for payment. The omission of these payments, and sums detained, occasion in all except the last weeks of the quarter a

considerable balance on the receipt side of the account.

"Mr. Dodson, the deputy collector of the duties outwards, told us, that, in the usual course of his business, the sum paid in the week into the treasury, nearly equals the amount of the duties collected in that week, but that usual course had been interrupted for rather more than a year, of which period the two first quarters of the year 1781, were a part. About the end of May 1780, he received directions from his principal to pay a part of his weekly collection into the hands of a banker. From the 30th of May to the 9th of October following, he paid all he collected in each week (except a sum paid into the treasury) into the hands of a banker, and placed it there in his own name; but drew out no part of it for any private purpose. By the 5th of July 1780, he had drawn out and paid into the treasury all he had deposited there, except a balance of 2*l*. 18*s*. 9*d*. This balance increased by his weekly additions, to 1,165*l*. 10*s*.; which sum he drew out upon the 10th of October, and paid it that day into the treasury. From that time his payments into the banker's were changed, from an account in his own name, to an account in the name of his principal, pursuant to his directions. About the end of each of the succeeding quarters, he received from his principal, sums which he paid into the treasury, in reduction of what was due from him on account of the duties. The balances remaining on the account of his principal, at those periods, were, on the 5th of January 1781, 915*l*. 0*s*. 8*d*.; on the 5th of April, 1,290*l*. 18*s*. 4*d*.; and on the 5th of July, 2,541*l*. 2*s*. 4*d*. About this time the controller general objected to these short payments into the treasury,

fury, and directed the balance to be paid in; in consequence of which he, as deputy collector, received from his principal, and paid into the treasury, between the 5th of July and the 28th of September, 1,950*l.* leaving at the banker's, on the account of his principal, 591*l.* 2*s.* 4*d.* due on account of the duties; which balance remained unpaid upon the 28th of January last, but has been since paid to the deputy collector, and by him into the hands of the receiver general; and from hence arose the great inequality between the sum received and the sum paid into the treasury in each week, in the weekly accounts of the collector of the duties outwards.

" From the information of Mr. Weston, the collector of the coal duties, and from his books produced to us, it appears that the difference between his receipts and payments, arises from the difference between the deposits taken and the deposits cleared by him during the week. He adds the sum of the deposits taken, to the sum of the duties received during the week. From this amount he deducts the sum of deposits cleared, and pays the balance into the treasury, arranged under the proper branches; and, therefore, the weekly receipt is either greater or less than the weekly payments, according as the amount of the duties and deposits taken, is greater or less than the amount of the deposits cleared.

" We have, in our first report, adopted, as a principle of public prudence, as well as benefit, that every duty should pass from the subject into the exchequer without delay. It should not be in the power of a receiver to detain or divert any part of it, under any pretence whatever; and, therefore, there ought to be continually existing, wherever the nature of the receipt

will admit of it, some power, to be frequently and strictly exerted, of calling for, inspecting, and controlling the state of the cash of every person intrusted with the receipt of public money.

" The office of the customs is instituted for the sole purpose of conducting the receipt of a most productive revenue constantly flowing in. In every office of receipt the collection is the important trust to be anxiously watched and guarded; and yet these material officers, the collectors and receivers in the port of London, are never called upon; nor do they ever produce any state of their cash, until these annual accounts are examined, and their balance books produced to the office of control. It is true, each of them is accurately charged, in his weekly account, with all he receives. His receipt is completely checked, and so are his payments, as far as they are stated; but there is no check upon the payments not stated, and, consequently, none upon the cash remaining in his hands unapplied.

" The commissioners, who are the supreme officers, never see his weekly accounts. They have no knowledge of the state of his cash: he carries over no balance: each week's account is independent of, and unconnected with, the account of either the preceding or succeeding week. We do not say, nor have we found reason to suspect, that any of these officers (except in the single instance above related) have, at any time, withheld, misapplied, or diverted the duties; but should any officer, urged by influence, or the pressure of his own occasions, be induced to divert or delay his payments, he may, under colour of debentures paid, of which he gives no account until the last week of the quarter,

quarter, or of sums reserved upon expectation, of which he is the sole judge; or, even where he has not the aid of these pretences, he has it in his power, during the receipt of many weeks, to accumulate, without interruption, a very considerable sum, and continue to increase that sum, until the controller general, awakened by the appearance of the declining state of the revenue, inquires into the cause, and reclaims the duties; yet not so effectually, but that, notwithstanding his exertions, and annual check upon the account he passes as his own, a sum may for years escape his examination, and be kept back from the treasury.

"To guard against this mischief, we are of opinion, that the officers of receipt in the port of London should be confined to the receipt of the duties only: that the payments of all the debentures and imprest orders should be committed to the receiver general, and transacted in a branch of his department. We are also of opinion, in order to enable the commissioners of the customs to exercise a superintending power over these collectors and receivers, that every collector and receiver in the port of London should, upon the first board day of every week, or such other day as may be deemed most convenient, lay before the commissioners of his majesty's customs an account containing the total sum received, and the total sum paid to the receiver general, during the week preceding, together with the balance remaining in his hands at the close of the said week.

"Custom duties are sometimes remitted to the receiver general, and rest in his hands, for want of knowing to what branches they ought to be appropriated, until the

accounts of the controllers of the duties so remitted are received by the controller general. We found, in the inquiries on which we grounded our second report, above 4,000*l.* under this description, in the hands of the receiver general of the customs. That these duties may be appropriated without delay, and paid into the exchequer, we are of opinion, that the receiver general should, at the foot of his weekly certificates to the commissioners of the customs, state the sum of duties then remaining in his hands, and for what reason they are not paid into the receipt of his majesty's exchequer: and since it appears, from the manner in which the appropriation of the payments into the exchequer, by the receiver general, is formed, that the duties paid in neither are nor can be ranged with accuracy under those branches to which they in fact belong, we think the commissioners of the customs warranted by constant usage, and ought, to order the controller general to apply such duties, remaining in the hands of the receiver general, in the manner which best suits his arrangement of the receipts of the week.

"The subject that has occurred to us as the most important in this inquiry, is the intricacy and perplexity that involve the collection and accounts of this part of the public revenue. The examination shews us, that the number of rules required in the computation, and the number of branches under which the accounts of these duties are kept, are the principal sources of this evil. The obvious remedy is, to reduce the number of these rules and branches, as near as circumstances will admit, to unity, and to introduce a systematic simplicity and uniformity into the manner of keeping

keeping the accounts. This regulation is become an object of high and urgent importance for the attention of the legislature. The number of accounts are increased in almost every session of parliament: seven new accounts were created by the acts of the last. The merchant, ignorant to what duties he is liable, must rely upon the officer. The labour of the officer is become great: the number of entries inwards, in the four months ending with October last, was fifteen thousand three hundred and forty-two: they have sometimes amounted to four hundred in one day. The collectors at the out ports, by their frequent application to the board, profess themselves ignorant. Errors in the computations are daily: the science difficult, possessed by few, and in danger of being lost; and this in a branch of the revenue productive, improving, and essential to the support and credit of the nation.

"In a revenue that embraces such a variety, it is hardly possible to introduce at once, regulation co-extensive with the objects. It must be a work of time. A practicable system must be formed upon principle, and carried by steps and degrees into execution.

"In almost every instance of goods liable to duties, in order to obtain the amount, it is necessary to have recourse to two rules of computation at least; in many to five. As a proof of the multiplicity and intricacy of them, we have procured from Mr. Richard Frewin, the examiner of the duties inwards, examples of the rules by which the computation must be made, both upon the same and different articles.

"The three rules adopted by the act of Charles the Second, the tonnage, the poundage, and the specific duty, are simple. Th

rate per ton, or the value by the measure, number, or weight, being given, or a certain sum imposed upon a defined article, the amount of the duty upon any given quantity is easily found. These rules should, therefore, be retained or adopted, wherever the subject matter is of such a nature as to be capable of the application. The rules by which the computation is made, of the duties to be paid upon each article, may be reduced to one, by applying the rule to be retained or adopted, in such a manner, as to produce the same, or nearly the same sum, as is produced by the rule to be rejected.

"Where the operation produces a fraction, as it frequently must, the duty should be increased to an integral. The public stand in need of every advantage, and the merchant will profit by the regulation.

"Wine requiring two rules, and unrated French ordinary painted paper requiring five, to ascertain the duties, are two examples, by which the practicability of this regulation may be tried.

"Wine is distinguished into four kinds: French, Portugal, Spanish, and Rhemish. French is liable to fifteen different duties; the rest to thirteen. They are all duties of tonnage, except the two imposts 1779 and 1782; and, therefore, require only two rules of computation, the one grounded upon the quantity, the other upon the aggregate of the subsisting duties. By substituting two additional duties of 4*l.* 7*s.* 6*d.* each, per ton, upon French wine, in the place of the imposts, each impost will be converted in a tonnage, and the amount of the duties will continue nearly the same. The like alteration may, with equal facility, be made in the other three.

"The

" The French paper pays fourteen duties. The first eight are each a poundage upon one value: the next two, a poundage upon another value: the eleventh is a duty upon the measure; the twelfth, upon the quantity; and the two last are the imposts.

" Suppose the poundage upon the first value to be the rule to be retained: 22 and one half per cent. upon that value will give the 9th and 10th duties; 12 and one half will give the 11th; one half per cent. the 12th; and 6 and 5 eighths something under the imposts: or, suppose them to be all changed into a specific duty upon the measure—One shilling and five pence three farthings per yard, will give 7*l.* 7*s.* 11. which is something more than the present duty upon a ream, as stated in the example before us.

" This substitution may sometimes be attended with difficulty. The rules may be grounded upon qualities or circumstances so widely different, that one rule, though it may in any given case produce the same sum, yet in other cases it may fail to produce the quantum of duty intended by the other rule: for instance, in the article of skates, the five first duties are a poundage upon the value, taken at 1*s.* 3*d.* per dozen. In the impost 1690, the value is departed from, and the duty is laid upon the weight of wrought iron, 5*s.* per hundred: this produces upon the 56 dozen, weighing 202 quarters, 12*s.* 6*d.* 17*s.* 2*d.* per cent. upon the rate will produce nearly the same sum; but should the same number weigh twice as much, the substituted rule will produce but half the duty intended. This difference may be corrected by taking the mean weight per dozen; and producing, by the

favoured rule, the duty arising from that weight.

" It is probable there are few instances, where the amount of the duties is so nicely calculated, that a small variation will disturb the state of the commerce carried on in any article.

" The management of this revenue will derive relief from the simplicity introduced by this regulation; but far more important and extensive will be the effect, if all distinction of branches in the customs can be abolished, and one entire sum only, be the duty to be collected upon each defined subject of duty, and one head of customs comprehend the whole of this revenue. There will then be no longer a necessity for that multiplicity of computations and entries; one sum will frequently stand in the place of fifteen, always in the place of many, upon the warrants, bills and instruments, and in all the cash books and accounts above referred to. There will be an end of appropriations of receipts and payments, of branches overpaid and underpaid, and of that perpetual violation of the truth of the receipt, by placing duties received in one branch among duties received under another, as delivered to the receiver general, and by him into the exchequer; a violation rendered unavoidable under the present system, without incurring the danger of a much greater evil, confusion in the accounts, perpetually increasing: but, above all, this regulation, as tending to a diminution of the charges of collection, co-operates to that great object always to be kept in view, the reduction of the public expences.

" That the amount of the duty to be paid upon every article, under every

every given circumstance of importation or exportation, may be ascertained, the laws continuing as they now stand, is apparent from the books of rates, that have from time to time been composed by officers employed in the management of this revenue; which books, alterations in the duties have rendered of nouse. Such a composition must precede, and be the ground of this regulation; but this is a work of time and labour: the subjects of commerce, with their various modifications and circumstances, are numerous; the sum of the duty upon each species must be ascertained before it can be imposed; and a temporary suspension of legislative interposition, so far as to effect a variation in the duties, is necessary for the completion of the work.

"The measure of duty to be assumed should be that best adapted to the nature of the subject matter, and that is, in general, the measure by which the merchant purchases and sells. If he buys and sells by the ton, the number, or the weight, the rate should be upon the ton, the number, or the weight; and the sum of duty should be an integral, capable of integral divisions.

"Since the reduction of all the branches of these duties to one head seems to us practicable, as well as highly expedient, as far it concerns the office of the customs, it remains for us to inquire, whether the same reduction can be effected in the office of the receipt of the exchequer.

"The legislature direct the distinction of the accounts, but without expressing the reasons: we must learn them from the construction of the several acts. In general, an act that imposes a duty, appropriates that duty to some specific service: whilst that appropriation continues, a distinct account must be kept of

the produce of the duty, in the offices both of the customs and exchequer, in order that the sum received on that head of duty may be issued for the service to which that duty is destined by the legislature—and because, where the service is limited, as it generally is, if the duty exceeds it, it is necessary to know the quantum of the excess as being public money, whether that excess is appropriated or not: if the duty is deficient, it is equally necessary to know the quantum of the deficiency, as it must be supplied from some other fund. Unless then all distinction of appropriation of the custom duties can be put an end to in the exchequer, the distinction of accounts must continue in the office of the customs.

"The appropriation of a duty to a service, is an act of the legislature, similar to other acts, subject continually to the legislative will and authority, directed to the public good. The legislature are bound to provide for every public service as it arises, and as long as it exists; but in what manner, and out of what fund, that provision shall be at first made, and how long it shall continue the same, is in the wisdom of parliament. The legislature can by no act so connect the provision with the service, be that service what it may, but that, whenever the public good requires it, the provision may be varied, blended, diminished, transferred, or abolished, by the power that created it, provided sufficient remains for the service, or another equally ample and secure, in the judgment of parliament, be substituted in its stead.

"The supreme power is bound to watch over, and to modify and adapt its provisions to the exigencies of the times, and the vicissitudes that must arise in the course of

(K) human

human events : limited only by the immutable principles of reason and justice, it cannot be restrained or fettered by the acts of antecedent legislatures ; nor can it, by its own acts, divest itself of the right of exercising, or communicate to others any check upon the exercise of this or any other power, inherent in its nature, and essential to the execution of that trust, which is the sole end and purpose of its institution, the promotion of the public good.

" But, not to rest upon general reasoning only, we examined into the appropriations themselves, and the power that has been exercised by the legislature over them ; and for that purpose, we procured from the auditor of the receipt of his majesty's exchequer, an account of the number of branches under which the accounts of the customs are kept in that office, and to what charges or services those branches are severally applicable. The branches are ranged, in this account, in the order in which we received them from the custom house the titles of them, in use both at the custom house and the exchequer are inserted ; and, that we might the more easily refer to them, we have added the numbers.

" It appears in this account, that the number of heads in the exchequer is less by three than the number at the custom house. The heads, number 40 and 43, are omitted in the exchequer ; for the duties collected under those heads in the customs, are directed by the receiver general, upon his payment of them into the exchequer, to be placed to such branches as he particularly mentions. The heads, number 44 and 45, though separate in the customs, are blended together in the exchequer, as arising from the same subject, and neither of them appropriated. The duties under the first head, intitled

" customs," are collected under three separate branches ; but they are paid into the exchequer in moieties, under the heads of the half subsidies 1712 and 1714.

" As many of the duties are carrier over to various funds, that it might appear at one view what duties are carried to each fund, we required from the same office, an account to what funds the duties of the customs are carried, when paid into the exchequer, and what branches of those duties are kept under distinct and separate heads. This account shews us, that six of them are carried to the general fund ; thirteen, and a moiety of the duties under the head of customs, to the aggregate fund ; six, the south sea fund ; and eleven to the sinking fund : that eight are unappropriated, and the remaining twenty-four, with the other moiety of the customs, are kept under distinct and separate heads, and appropriated to specific services.

" The appropriation of these funds does not appear in these accounts ; and, therefore, we applied to the same office for accounts of the services to which the general, aggregate, south sea, and sinking funds, are respectively applicable.

" Being thus furnished with the knowledge of the appropriation of every custom duty, in the office of the receipt of the exchequer, whether by itself, or in common with other duties ; and, being assisted by the information of Mr. Hughson, clerk of the debentures in that office ; we are enabled to form some judgment, whether any objection arises to this plan of consolidation from the circumstance of the appropriation.

" In the account of the funds to which the duties are carried, there are three distinctions ; the unappropriated duties, the duties carried over to the compound funds and, those

those kept under separate and distinct heads.

"The first class, not being appropriated at all, an account of the produce of them is laid before parliament some time in every session; and that produce is applied to the current services of the year. There does not appear to us any reason why this produce, being applicable every year to whatever service parliament think fit to direct it, should not be received into the exchequer as one sum, and these eight branches be united and blended together under one head.

"The duties of the second class, being carried over to their respective funds, are mixed with certain other duties, collected together from almost every source of revenue. The number and variety that compose each fund, appear in an account from the exchequer, of the several duties of which the general, aggregate, south sea, and sinking funds are respectively composed. The duties thus brought together form in each fund one compound cash; out of which the services to which the fund is made applicable are supplied as they arise. In this issue all distinction of separate appropriation is done away; there is no connection between any one of the services and any one of the component branches; the entire compound fund is made subject to each service separately, and to all them taken together.

"It is true, that the distinction in the receipt shews how much each branch contributes to the common stock for any given period; but that knowledge seems to be mere matter of curiosity; no use is made of it; it is the ground of no operation of finance; the quantum of the produce has no relation to the quantum of any particular ser-

vice: the fund receives the whole; and whether it be more or less productive; equally affects every service; if the fund produces enough for every service, it is immaterial what share each branch contributes to it.

"It is frequently necessary, for the regulation of the commerce upon any particular article, to know the annual amount of the duty produced by it; but that knowledge cannot be collected from the sum produced by any of these branches, because the sum paid into the exchequer upon any branch, does not distinguish from what articles the duties arise which compose that sum; it comprehends the aggregate of the duties collected upon every article that has been imported or exported, within the time of the collection, liable to the duty. This knowledge is obtained from the inspector general of imports and exports, who keeps an account of every species of goods, whether imported or exported; and, the quantity of the goods, and the rate of the duty, being given, the sum of the duty produced by it in any given time is easily computed.

"Since the distinction of the branches thus carried over in the receipt of the exchequer seems to us to be of no use, we are of opinion, that all the branches of the custom duties, carried over to these four funds, and amounting together to thirty seven, may be added to the eight unappropriated branches, and the produce of them paid as one sum, under one head, into the receipt of the exchequer.

"Of the twenty-five remaining branches, twenty-two are appropriated to the payment of annuities; one, to the coinage; and the other two, to the encouragement of the growth, one of cotton in the Leeward Islands, the other of

hemp and flax in England and Scotland.

"As to the coinage service, the act of the 18th of Charles the Second, chapter the 5th, imposed two duties, the one on wine, the other on spirits, and directed the produce to be distinguished and kept apart in the offices both of the customs and exchequer, and to be applied to no other use but that of defraying the expence of the mint. One of these duties, that on spirits, is, by the 9th of George the Second, chapter the 23d, section the 17th, carried and appropriated to the uses of the aggregate fund.

"At present, the whole produce of the remaining branch, the duty on wine, is applied to the coinage; but this service generally exceeding the produce of the duty, the deficiency is paid out the supplies of the year.

"Nothing has as yet been issued of the duties collected for the encouragement of the growth of cotton in the Leeward Islands; nor has there been any demand from England for any part of her share in the produce of the other branch. Scotland has received payments on account of her share, which is seven fiftieths of the produce.

"It cannot be material out of what duties these services are supplied: they may, whether limited or fluctuating, be made a charge upon any sufficient fund, or upon that of which these three branches may form a part.—The twenty-two remaining branches are appropriated, each to the payment of some particular annuity, granted between the year 1706 and the present time.

"The public creditors are of two descriptions; bodies corporate, and individual proprietors of particular government securities. These latter

are no otherwise connected than as proprietors of shares in the same fund or annuity. At the creation of these annuities, the legislature has always appropriated some existing branches of the public revenue, or created some new branches, either in the act that grants the annuity or in some subsequent act, as a fund out of which the annuity is to be paid. The act of the 5th of William and Mary, chapter the 20th, which incorporated the bank of England, and the act of the 9th and 10th of William the Third, chapter the 44th, which gave rise to the East India company, each imposes a variety of new duties, and, out of the produce, appropriates a certain sum to the use of those persons who should become subscribers to a loan proposed to be advanced to government, upon the terms mentioned in the act. The act of the 9th of queen Anne, chapter the 21st, which erected the South Sea company, creates a fund, out of duties then existing, to answer the annuities granted by that act, to those proprietors of certain public debts, who should subscribe them into the stock of the company. In all the acts which have occurred to us, for raising money by granting annuities to individuals, until within these few years, the funds appropriated for the payment of the annuities have been inserted in the same act: but of late years, the annuities have been granted by one act, and the funds created by some subsequent act of the same session. In this latter case, the subject does not lend his money upon the credit of any particular security: ignorant what it will be, he leaves the choice of the fund to the legislature, and relies for the payment of his annuity upon such means as they shall think proper to adopt.

"Where

thirds subsidy and certain duties on coffee and other articles, imposed by former acts, to the annuity payable upon the enlarged capital of the bank of England.—The act of the 1st of George the First, chapter the 12th, throws the two thirds subsidy into the aggregate fund.—And the act of the 10th of George the First, chapter the 10th, repeals the duties on coffee and other articles, and subjects some inland duties to the payment of the annuity.

“By the act that erects the South Sea company, the duties imposed by the 2d of William and Mary, chapter the 4th (one of which is an impost duty upon rough flax), and a duty upon home-made salt, are appropriated, among other duties, towards payment of the annuity granted to that company; and, by the act that creates the East India company, additional duties are imposed, both upon home-made salt, and upon the import of foreign salt, and form a part of the fund destined for the payment of the annuity to that company: and yet the act of the 3d of George the Second, chapter the 20th, upon the ground of relief to the subject, repeals these duties on salt, and, to prevent any injury to the creditors of the public, from the diminution of the produce of the funds on which their several annuities are secured, arising from the subtraction of the duties repealed, the deficiencies are charged upon the aggregate fund; and, the East India company having consented to a reduction of their annuity, the whole annuity, so reduced, is made a charge upon the same fund.—By the act of the 4th of George the Second, chapter the 27th, the duty on rough flax is taken off, and an annual sum, taken from a medium of seven years produce of that duty, is substituted in

its stead, and made payable to the South Sea company out of the same fund.

“One of the articles subject to the duties of the old subsidy, the one third subsidy, and the two thirds subsidy, is woollen yarn. The act of the 12th of George the Second, chapter the 21st, upon the principle of utility to the manufacturer of Great Britain, repeals a part of these duties, and subjects the aggregate fund to the payment of a sum, taken from the mean produce for seven years, to the several creditors who had an interest in that produce; in shares proportional to such interest. These three subsidies, being part of them appropriated to the payment of the annuities 1706, 1707, and 1708, and part carried to the aggregate fund, the repeal of this duty effects those annuities, and all the various services to which the aggregate fund was at that time liable.

“Great raisins is an article liable to the same duties. The act of the 14th of his present majesty, chapter the 74th, reduces the rate payable upon the importation of them, from 1*l.* 1*s.* to 1*s.* only per hundred weight, without substituting any other duty in its stead, and consequently diminishes the security pledged for the payment of all those services to which the three subsidies above mentioned are made liable.

“By an act of the last session, chapter the 16th, the additional duty of one per cent, and part of the aliens duty, both of them parts of the branch of customs, are discontinued, and no duty imposed to supply the place of them.

“The diminution of the duties on tea, and the substitution of a new tax, by another act of the same session, chapter the 38th, affects nine branches of the customs, and, consequently,

frequently, every annuity, for the payment of which any of those nine branches are appropriated.

" The consolidation of annuities disturbs the appropriation equally with the consolidation of duties; for, though a distinct account is kept of the duties applicable to the payment of each annuity, yet a purchaser of a consolidated stock does not know whether he becomes proprietor of the old or the ingrafted stock, and, consequently cannot tell out of which of the appropriated duties his annuity is payable.

" That the effect of these considerations might the more clearly appear, we procured from the auditor of the receipt of the exchequer, an account of the several duties out of which the bank consolidated three per cent. annuities are paid. This fund, consisting at its first creation, in the year 1752, of 8,200,000*l.* only, is now swelled to upwards of 107,000,000*l.* The annuity attending near fifty-eight of them, is paid out of the sinking fund: the rest, out of duties kept separate and distinct.

" The act of the 25th of George the Second, chapter the 27th, is the original of this fund. It converted the bank three per cent. annuities into a joint stock, and carried to the sinking fund all the duties appropriated to answer the annuities payable upon that capital, and charged the consolidated annuity upon that fund. This measure was effected with the consent of the proprietors. Trustees, both public and private were empowered to subscribe, and indemnified in subscribing, their assent to this consolidation.

" The act of the 28th of George the Second, made additions to this joint capital, and charged the annuities attending then upon the sinking fund,

without increasing it by any new duties.

" The acts of the 32d and 33d of George the Second, added several millions, raised by former acts, to this stock, with the consent of the proprietors of the ingrafted millions, implied from their not subscribing their dissent, but without the consent of the proprietors of the old capital. The duties charged with the payment of the annuities attending the ingrafted capital, were carried to the sinking fund, and those annuities charged upon it.

" The acts of the 1st, 6th, and other subsequent years of his present majesty, blend with this joint stock, at the time of their creation, the annuities granted by those acts; but, within these late years, the funds appropriated for the payment of them have been kept separate and distinct, and not, like the former duties, thrown into the sinking fund.

" But the act the most material to our purpose, is that of the 9th of George the Second, chapter the 23d. The legislature, upon a principle of public convenience, from an attention to the morals and health of the subject, checks the use of spirituous liquors, and changing the application of the duties to which spirits were then liable, unites them to, and appropriates them to the uses of, the aggregate fund; and, foreseeing that the funds, of which these duties made a part, being charged with payments to the civil list, and of annuities to corporations and others, might, by this alteration, prove deficient, they substituted and apportioned to the civil list a certain annual payment, computed upon a medium of the sum that had been applied out of produce of these duties for eight years, to that service, and charged all

all the deficiencies, that might happen in the funds to which these duties had been applied, upon the aggregate fund.

* One of the consequences of this act was, a consolidation of certain branches of duties, both in the customs and exchequer. Five of the duties, to which French cordial waters are subject, are, the old, the new, the one third, the two thirds subsidies, and the second twenty-five per cent. on French goods; and, if imported by aliens, the petty customs likewise. These five duties, in order to obtain the amount of them, are still raised and collected in the customs under their distinct heads; but when collected, they are blended into one sum, under the head "of subsidy on spirits," and accounted for and paid as one sum, under that single head, into the exchequer, and there carried to the aggregate fund.

"The acts we have thus referred to, evince that the legislature have from time to time, in every reign since the Revolution, upon principles of public convenience, either varied, blended, diminished, or repealed, with or without a substitution, duties appropriated to the payment of annuities to public creditors of all descriptions, without their consent. The consequence is, that the appropriation of the twenty-two remaining branches of the customs to the payment of annuities, is no impediment to the blending them with the rest; and then all the branches of the customs may be united together, and be formed into one head of duties only, under the title of "customs," in the office of the exchequer, as well as in that of the customs.

"There is another circumstance affecting these duties, which occurs in the exchequer, and requires con-

sideration:—many of the branches of the customs are connected, in the exchequer, with branches of the excise, and other duties of different denominations, and form together compound funds, appropriated in some instances to one, in others to various services.

"In the account of the duties out of which the annuities are paid to the companies, it appears, that among the duties appropriated to the payment of the annuities to the bank of England, there is one branch of the customs. Among those to the South Sea company, there are twelve. Of the rest, we have seen that six are carried to the general fund, fourteen to the aggregate, and eleven to the sinking fund. All these are charged, in common with other duties, with the payment of various services.

"Suppose the one entire sum of customs to be carried, when paid, into the exchequer, to the sinking fund—the effect will be, each of these compound funds will be diminished by the amount of the custom duties subtracted from it; and should this diminution occasion a deficiency in any of the funds to answer the charges upon it, the act of the 9th of George the Second, above alluded to, furnishes the remedy: every such deficiency may be supplied, as most of the deficiencies are at present, from the sinking fund; and that fund will likewise become chargeable with the payment of those annuities to which the twenty-two branches are now separately appropriated.

"This consolidation of the duties will not prevent any distinction in the receipt, which may be thought necessary to be preserved in the office of collection. The annual produce of the imports, the exports, the coastwise duties, in

London

London and at each out-port, or any other account, may be kept separate, the knowledge of which may contribute to the regulation or improvement of this revenue.

"We have above suggested, that, before this reduction can be completed, a book of rates must be formed, ascertaining the amount of the duties to be paid upon every article, under every circumstance of importation or exportation which varies the duty. The amount of the drawback to be allowed on each article, upon exportation, must be settled likewise. If the reduction can be formed, and carried by degrees into execution, the plan may be entered and proceeded upon immediately, without delaying it until the book of rates is completed.

"The act of the 9th of George the Second seems to point out the means. That act selects all the articles, included under the denomination of spirits, from other articles liable to the same duties, and lays the ground for a consolidation of five of the duties to which spirits were at that time subject. These five are a poundage upon the rate. There are now six branches remaining, kept distinct. Suppose the rate to be the adopted measure of computing the duties upon the remaining branches, the amount of the duty will be nearly 7s. 1d. for every gallon of French cordial waters imported in four glass bottles.

"The officer will by these means, be relieved from all computation upon this article; and his entries will be rendered simple. One sum may be paid into the exchequer, under the same head of subsidy on spirits, and the whole carried, as the produce of five of the branches is now, to the aggregate fund; and the deficiencies that may arise from thence, in the funds of which these six last

duties now form a part, may be charged upon the aggregate fund, just in the same manner as the deficiencies in the funds to which the five first were applicable, now stand charged by the same act.

"No reason occurs to us, why the same steps may not be taken with regard to wine, tea, sugar, tobacco, linen, salt, coals, and any other extensive and productive subjects of the custom duties. The proper rule of computation may be established; the aggregate of the duties obtained; the sum paid into the exchequer, under the head of the duties upon that particular article, and carried to the sinking fund; and that fund to be made liable to such deficiencies as may be occasioned by this alteration. The office of the customs will find immediate benefit from such a regulation; and the plan will be continually approaching nearer to its completion.

"If the principles on which we have endeavoured to establish this consolidation of the custom duties be well founded, they lead to a still more important and extensive regulation.

"We cannot presume to pronounce, without a previous examination, that they can be applied to such other offices of the revenue as are perplexed with a multiplicity of distinct accounts; but it is highly probable, that distinction, in every office, is, for the most part, rendered necessary, upon the same ground of appropriation; and, if so, it may upon the same principles be abolished. This will open the way to a great measure of financial regulation—to the introduction of the most simple of all modes of account into the depository of the public treasure—the formation of one fund, into which shall flow every stream of the public revenue, and from whence

whence shall issue the supply for every public service.

"The public creditor may safely rely upon this fund for the payment of his annuity: the excess of it will be the same as the excess of the sinking fund would be, were that fund to continue in its present state.

"How far the produce of the sinking fund has exceeded the charges upon it, appears from the account of the surplusses for these last ten years: The sum therein stated as the surplus of the last year is incomplete: It amounted to above 1,600,000*l.* more; which sum has been issued to supply the deficiencies of the taxes for five quarters, occasioned in part from the interest of the loans often taking place long before the taxes raised for the payment of the annuities commenced, and still longer before any part of them were received—and in part from the unproductiveness of other duties. The usage has been, to replace these deficiencies to the sinking fund from the supplies of the year.

"Thus, one great fund of revenue, composed of the annual income of the state, will be the ample security to every public creditor for the payment of his annuity; and the collateral security to that fund, the property of the nation.

"This plan is consistent with every distinction of account in the exchequer, that may be necessary to preserve the knowledge of the produce of each of the several leading branches of revenue, and the quantum and circumstances of the issue for any particular service. There is no danger of confounding the re-

ceipts, or of the issues exceeding the sums voted or appropriated to each service.

"We have confined this inquiry to the collection of the duties in the office of the customs, the payment of them into the exchequer, and the manner in which the accounts of them are kept in both offices.

"What remains, and will be the next object of our examination, is the diminution of the produce of these duties by the charges of management; which, though a branch of the same subject, is capable of a distinct and separate consideration. The objects it involves are numerous, and of moment to the public: the investigation must, from the nature of them, require much time and attention. Had we waited until that investigation could have been completed, our report, already sufficiently voluminous, must have been delayed to a distant period: and should the materials we have thus collected, be deemed a sufficient ground for the exertion of the wisdom of parliament, the public might have been deprived of the early benefit of regulation essential to the security and good management of their revenue, and to the facility and accuracy of their accounts, in two of their most important offices.

T. ANGUISH,	(L. S.)
A. PIGGOTT,	(L. S.)
RICHARD NEAVE,	(L. S.)
SAM. BEACHCROFT,	(L. S.)
GEO. DRUMMOND,	(L. S.)
WILLIAM ROE.	(L. S.)"

"Office of Accounts,
Surry Street,
 18th March, 1785,"

SUPPLIES granted by Parliament for the Year 1787.

N A V Y.

FEB. 5.

FOR 18,000 men, including 3860 marines at 41. per man per month	£.	s.	d.
	936,000	0	0
For the ordinary of the navy, including half pay	700,000	0	0
For the extraordinaries	650,000	0	0
	<hr/> 2,286,000 0 0 <hr/>		

A R M Y.

FEB. 12.

For 17,638 men, as guards and garrisons	648,687	1	0½
For forces in the plantations	234,628	18	5
For difference between the charge of British and Irish establishments	6,834	19	2
For general and general staff-officers	6,409	8	0
For full pay to reduced officers	23,110	12	6
For forces in the East Indies	8,230	8	7½
For allowance to the paymaster general, &c.	59,253	12	1

APRIL 3.

For the reduced officers of the land forces and marines	172,776	12	6
For the reduced horseguards	223	7	6
For the reduced officers of the British American forces	60,000	0	0
For the officers late in the service of Holland	3,422	11	8
For the Chelsea pensioners	172,525	15	10
For the pensions to officers widows	11,812	8	6
For difference between the British and Irish establish- ment	3,253	11	0½
For extraprdinaries, from 1785 to 1786	465,117	19	11
	<hr/> 1,876,287 6 9 <hr/>		

O R D N A N C E.

FEB. 12.

Land service for 1787	328,576	17	3
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MISCELLANEOUS SERVICES.

FEB. 6.

To discharge exchequer bills	2,500,000	0	0
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APRIL 20.

To the British Museum	3,000	0	0
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APRIL

£. s. d.

APRIL 30.

The civil establishment of Nova Scotia	—	5,251	17	6
Ditto of St. John's Island	—	1,900	0	0
Ditto of New Brunswick	—	4,300	0	0
Ditto of Cape Breton	—	2,100	0	0
Ditto of Newfoundland	—	1,182	10	0
Ditto of East Florida	—	2,600	0	0
The chief justice of the Bermuda islands	—	580	0	0
Additional support to the civil establishment of the Bahama islands	—	4,380	0	0
The civil establishment of New South Wales	—	2,877	10	0
To discharge exchequer bills	—	3,000,000	0	0

MAY 7.

To Thomas Cotton, esq. to discharge bills drawn by the governors of the Bahama Islands, Island of St. John, Nova Scotia, and New Brunswick	5,139	4	1½
To ditto for money advanced by him to the commissioners of American claims	2,111	0	6
To Mr. Mount, chief clerk in the office of the commissioners appointed to enquire into the fees, &c. of several public offices	890	0	0
To Thomas Cotton, esq. for money paid by him to the representatives of Richard Bradley, for the value of merchandize bought by him for the purchase of the island of Le Main, in the river Gambia, as a settlement for convicts	457	10	0
For roads and bridges in Scotland	7,434	9	0
For a compensation to David Jenkinson for the forfeiture of the three first payments towards the loan of 1784, on account of omitting his future payments, while confined by illness	532	0	0
For the African forts	13,000	0	0
To the agent of Masahod de la Mar, for damages sustained by the detention of the ship Herfeldter, freighted on account of the emperor of Morocco	2,307	9	4
For Somerset-House	15,000	0	0
For the American loyalists	112,000	0	0

MAY 8.

For the relief of the East Florida claimants	13,600	0	0
For the cleansing of Catwater harbour	1,000	0	0
For money issued to the secretary of the commissioners of public accounts	1,500	0	0
For ditto to the secretary to the commissioners appointed to examine into the losses of the East Florida claimants	700	0	0

For

P U B L I C P A P E R S. (157)

	£.	s.	d.
For ditto to the secretary to the commissioners of the crown lands	2,200	0	0
For ditto to the secretary to the commissioners to enquire into the losses of the American loyalists	4,445	19	11
For money issued in pursuance of addresses	12,138	16	4½
	<u>5,723,017</u>	<u>18</u>	<u>2½</u>

D E F I C I E N C I E S.

APRIL 3.

To make good the deficiencies of the fund for the payment of annuities granted for the year 1758	18,574	13	10½
To ditto for the year 1778	127,796	19	3½
To ditto 1779	35,039	13	5½
To ditto 1780	184,234	3	2½
To ditto 1782	11,235	5	11½
To ditto 1783	292,448	14	7½
To ditto 1785	532,652	18	4
To make good the deficiencies of the commutation tax	233,410	6	7½

APRIL 30.

To make good the deficiency of the grants for 1786	240,324	19	10½
	<u>1,675,717</u>	<u>15</u>	<u>2½</u>

	£.	s.	d.
Navy	2,286,000	9	0
Army	1,876,287	6	9
Ordnance	328,576	17	3
Miscellaneous services	5,723,017	18	2½
Deficiencies	1,675,717	15	2½
	<u>11,889,559</u>	<u>17</u>	<u>5½</u>

WAYS and MEANS for raising the Supplies for 1785.

FEB. 8.

Land-tax	2,000,000	0	0
Malt	750,000	0	0

APRIL 23.

Sinking fund	1,226,072	2	11½
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MAY 2.

A lottery of 50,000 tickets at 15 s 9	756,875		
Prizes	500,000		
	<u>256,875</u>	<u>0</u>	<u>0</u>

MAY

MAY 8.

Exchequer Bills	_____	5,500,000	0	0
Surplus of the consolidated fund	_____	2,400,000	0	0
Imprest monies remaining in the exchequer	_____	74,102	9	10
Army savings	_____	44,806	2	7
Money granted for the army in 1785, remaining in the exchequer	_____	180,000	0	0
		12,431,855	15	4½
		11,889,599	17	5½
Excess of Ways and Means		£. 542,255	17	10½

Public Acts passed in the Fourth Session of the Sixteenth Parliament of Great Britain.

Feb. 23.

- An act against unlawful lotteries.
 An act for regulating the marine forces while on shore.
 An act for establishing a criminal court in New South Wales.

March 5.

- The malt act.
 The land tax act.

March 22.

- The mutiny act.

March 30.

- An act for the pay and clothing of the militia.
 An act for establishing a conveyance of letters between Milford-Haven and Waterford.

- An act to regulate the commercial intercourse between the British Colonies and United States of America.

April 5.

- The British fishery act.
 An act explaining the following acts, viz. 6 Geo. I. concerning the building, &c. of county gaols; 11

and 12 of Will. III. against piracy; and 13 Ch. II. concerning the regulating the ships of war and forces by sea.

April 25.

- An act for repealing the several duties on customs and excise, and granting other duties in lieu thereof; and for applying the said duties, with the other duties composing the public revenue; for permitting the importation of certain goods, wares, and merchandize, the produce of manufactory of the European dominions of the French king, into this kingdom; and for applying certain unclaimed monies remaining in the exchequer, for the payment of annuities on lives, and the reduction of the national debt.

May 21.

- An act to perpetuate two acts, 15 and 17 Geo. III. relative to promissory notes and bills of exchange.
 An act to perpetuate an act 23 Geo. III. regulating the courts of justice in Scotland.
 An act to prevent frivolous and vexatious suits in the ecclesiastical courts.

An

An act for encouraging the arts of designing and printing linens, &c. by vesting the property thereof in the designers, printers, &c. for a limited time.

May 28.

Three acts for raising money by exchequer bills.

An act for raising money by a lottery.

An act to farm the post-horse duties.

An act to indemnify such persons as have omitted to qualify themselves for offices, &c.

An act for allowing the importation and exportation of certain goods in Jamaica, Grenada, Dominica, and New Providence, under certain restrictions.

An act to obviate objections to the competency of witnesses in certain cases.

An act allowing further time for the inrollment of deeds and wills made by papists, &c.

May 30.

An act granting a certain sum of money out of the consolidated fund.

An act granting certain duties on glass imported, &c.

An act respecting vessels and boats liable to seizure by an act 24 Geo. III. for preventing smuggling, and also relative to the duties on wine and oil flasks, foreign geneva, and ebony; and for the amending of several laws relative to the revenue.

An act for making an allowance to the dealers in foreign wines, for the stock in their possession a certain time, &c.

An act relative to the importation of raw hides from Ireland and British America; to the exportation of wheat, &c. to the British sugar colonies; to prohibiting the exportation of tools and utensils in the iron and steel manufactories, and to prevent the seducing of artificers; and for granting a bounty on the exportation of certain British and Irish linens.

An act appointing commissioners further to enquire into the losses of the loyalists.

An act appointing commissioners further to enquire into the fees, &c. of certain public offices.

PRICES of STOCK for the Year 1787.

N.B. The highest and lowest Prices of each Stock in the Course of any Month are put down to that Month.

	Bank Stock	3 per cent.	4 p.c. diff.	5 p.c. conf.	Long Ann.	Short Ann.	India Stock	India Ann.	India bonds	Old Ann.	New Ann.	Navy Bills.	Exchq. Bills.	Lottery Tickets.
Jan. {	149 1/2	74 1/2	73 1/2	93 1/2	110 1/2	23	13 1/2	167	70	73 1/2		2 1/2	15	14 16
	152 1/2	75 1/2	76 1/2	94 1/2	113 1/2	22 1/2	13 1/2	168 1/2	70 1/2	74 1/2		2 1/2	14	15 6
Feb. {	151 1/2	74 1/2	73 1/2	93 1/2	110 1/2	22 1/2	13 1/2	163	71	73 1/2	73 1/2	2 1/2	21	15 4
	153 1/2	75 1/2	74 1/2	95 1/2	111 1/2	22 1/2	4	163 1/2	71 1/2	74 1/2	73 1/2	2 1/2	16	16 9
Mar. {	153 1/2	75 1/2	74 1/2	95 1/2	111 1/2	22 1/2	14	164	72 1/2	74 1/2	73 1/2	2 1/2	14	
	156 1/2	77 1/2	76 1/2	96 1/2	114 1/2	23	14 1/2	168 1/2	73 1/2	76 1/2	75 1/2	2 1/2	21	
Apr. {	153 1/2	76 1/2	76 1/2	97 1/2	113 1/2	23	13 1/2	169 1/2	72 1/2	75 1/2	75 1/2	2 1/2	5	
	155 1/2	77 1/2	77 1/2	98 1/2	115 1/2	23 1/2	17 1/2	170 1/2	72 1/2	76 1/2	76 1/2	2 1/2	11	
May {	154 1/2	76 1/2	77 1/2	95 1/2	115 1/2	22 1/2	13 1/2	170 1/2	72 1/2	75 1/2	76 1/2	2 1/2	6	15 6
	156 1/2	77 1/2	77 1/2	96 1/2	115 1/2	22 1/2	13 1/2	172 1/2	73 1/2	77 1/2	77 1/2	2 1/2	19	16 3
June {	147 1/2	72 1/2	73 1/2	91 1/2	111 1/2	21 1/2	13 1/2	161 1/2	67 1/2	72 1/2	73 1/2	2 1/2	4	15 18
	154 1/2	76 1/2	77 1/2	95 1/2	115 1/2	22 1/2	13 1/2	171 1/2	72 1/2	75 1/2	76 1/2	2 1/2	16	16 3
July {	145 1/2	70 1/2	70 1/2	91 1/2	108 1/2	21 1/2	13 1/2	149 1/2	66 1/2	69 1/2	70 1/2	2 1/2	4	15 16
	150 1/2	73 1/2	74 1/2	93 1/2	113 1/2	22 1/2	13 1/2	165 1/2	68 1/2	72 1/2	70 1/2	2 1/2	22	16 0
Aug. {	147 1/2	71 1/2	70 1/2	92 1/2	109 1/2	21 1/2	13 1/2	159 1/2	68	71 1/2	70 1/2	2 1/2	22	15 16
	153 1/2	75 1/2	74 1/2	95 1/2	111 1/2	22 1/2	14	162 1/2	69 1/2	73 1/2	73 1/2	2 1/2	34	15 19
Sep. {	145 1/2	73 1/2	73 1/2	94 1/2	105 1/2	21 1/2	13 1/2	158 1/2	68 1/2	72 1/2	69 1/2	2 1/2	23	15 11
	152 1/2	73 1/2	73 1/2	94 1/2	110 1/2	22 1/2	14	164 1/2	69 1/2	73 1/2	72 1/2	2 1/2	32	15 16
Oct. {	145 1/2	70 1/2	69 1/2	90 1/2	105 1/2	20 1/2	13 1/2	156 1/2	65 1/2	69 1/2	69 1/2	2 1/2	8	15 11
	150 1/2	72 1/2	72 1/2	91 1/2	108 1/2	21 1/2	13 1/2	161 1/2	65 1/2	70 1/2	70 1/2	3	21	15 18
Nov. {	152 1/2	74 1/2	75 1/2	94 1/2	113 1/2	22 1/2	13 1/2	168 1/2	70 1/2	74 1/2	75 1/2	3	21	15 18
	160 1/2	76 1/2	77 1/2	95 1/2	115 1/2	22 1/2	13 1/2	174 1/2	71 1/2	76 1/2	75 1/2	3	27	16 17
Dec. {	157 1/2	75 1/2	76 1/2	95 1/2	115 1/2	22 1/2	13 1/2	174 1/2	71 1/2	76 1/2	76 1/2	2 1/2	22	16 11
	158 1/2	76 1/2	77 1/2	96 1/2	115 1/2	22 1/2	13 1/2	177 1/2	72 1/2	76 1/2	76 1/2	2 1/2	31	16 16

BIOGRAPHICAL
ANECDOTES
AND
CHARACTERS,

1787.

A



BIOGRAPHICAL

ANECDOTES AND CHARACTERS.

CHARACTER of GREGORY VII.

[Extracted from BARNETON's History of the Lives of Abeillard and Heloise.]

"**HILDEBRAND**, the famous Gregory the Seventh, then wore the triple crown. He had been educated at Cluni, a French monastery of high renown, in the severity of monastic discipline; had then risen to the first dignities of the church; and during the pontificates of five succeeding popes, had been honoured with their confidence in the discharge of the most arduous business.—It is well known what a torrent of vice had then spread itself over the face of Christendom: to stem this, in vain had every effort been made, which honest virtue and christian zeal could suggest. Hildebrand, with the keen sensibility of a virtuous mind, had long viewed the fallen state of religion, and he ascended the papal throne, with the unanimous approbation of all orders of the Roman church, big with vast designs of reformation. "We chose Hildebrand for the true vicar of Christ, (they are the words used at his election,) a man of much learning, of great piety, of prudence, justice, fortitude, and religion. He is modest, abstemious, and chaste; regular in the discipline of his family, hospitable to the poor, and from his tender years

nursed in the bosom of our holy church: to him we give those powers of supremacy, which Peter once received from the mouth of God."

"The source of the evils, he lamented, lay, it was evident, in the general corruption of manners, in the unbounded sway of passion, and in the abuse of power. With an intrepidity of soul, that perhaps was never equalled, he dared singly to oppose this multitudinous enemy, and he called the sovereigns of Europe to his tribunal. The motives which led him on, and the habits of stern virtue, which had steelled his character, excluded almost the possibility of suspicion, that he himself perhaps was arrogating a power, which belonged not to him, and from the abuse of which even greater evils might ensue than those he aimed to suppress. Minds of the widest comprehension may be sometimes so engrossed by a single object, as to be insensible to the most obvious deductions, which reason in vain holds up before them. But the mis-conceptions of Gregory were those of a great man, and his errors were, in part, the errors of the age.

"To effectuate more completely the schemes he had in view, he

conceived the bold design of making himself sole monarch of the earth. The concerns of Europe, whether ecclesiastical or civil, would then be brought within his own cognizance; he would distribute favours, as merit might seem to call for them; and he would dispose of crowns, which, too often, he observed, fell upon the heads of the unworthy, or of men who knew not the proper use of power.

"Enthroned in the chair of the humble fisherman, Gregory put his hand to the work. The simoniacal disposal of church livings was a crying sin, which called aloud for redress, and he hesitated not to aim the first blow at the very root of the disorder, though it lay in the rapacious breast of power, and in the courts of princes.—The incontinence of the clergy was another foul stain on religion; for the sons of God seeing the daughters of men that they were fair, took to them helpmates from among all that they chose. The stern pontiff had no indulgence for this weakness of his brethren.

"During the twelve years of his reign he held eleven councils at Rome, the object of all which was, the suppression of the crimes I have mentioned, or to enforce the execution of decrees or discipline, or to confirm, by a more solemn sanction, the sentences of excommunication and deposition, which, in the plenitude of his supposed power, he had pronounced against the obstinate and refractory.

"In two synods he compelled Berengarius, who had innovated in the doctrine of the Lord's Supper, to abjure his opinions, and to subscribe to the ancient faith.—The general opposition, which the dogmatical sentiments of this man excited, proves at least their novelty in the eleventh century.

"Staudius of reconciling the long divided churches of the East and West, he had proposed to proceed himself to Constantinople, and to bring the grand controversy to issue. The disturbances of Europe forbade it.—He wrote to the Grecian emperor, who had implored his succour, that, at the head of the powers of the West, he would march to his assistance; and he conjured the German Henry and William duke of Burgundy to join him in the enterprise.—The idea did honour to the magnanimous spirit of Gregory; but twenty more years were to elapse before Europe would be prepared to send her holy warriors against the infidel powers of the Eastern world.

"He reprimanded Salomon king of Hungary, that he had dared to accept the investiture of his realm from the hand of the emperor, and not from Rome. Hungary, said he, was rendered feudatory of the holy see by Stephen, the best of her kings, and your right of holding the sceptre is from hence.

"He wrote to the kings of Denmark, of Sweden, and of Norway, reproving what had been ill done, and urging them to the due discharge of their duties in the support of religion, and in procuring the welfare of their people; but particularly he presses on their attention a filial obedience to the apostolic see.

"The murder of Stanislaus, bishop of Cracow, he revenged on the Polish king and the other perpetrators of the crime, in the most signal manner. In execration of the deed, the whole kingdom was laid under an interdict, the king deprived of all regal power, and his subjects absolved from their allegiance. None of the sons of those, who either aided or advised the crime, said he, shall

shall be promoted to holy orders to the end of the fourth generation.

"The kingdom of Spain, he pretended, had, from time immemorial, belonged to the Roman church; and when the count de Ronci applied to him for permission to retain the lands he might conquer from the Saracens, who then possessed them; he granted his prayer, on condition, he should hold them in the name of St. Peter. But I would rather, he observed, they should remain in the hands of the infidels, than that Christians should possess them, who might refuse to do homage to the holy see.

"Alfonfus, king of Castile, who had married the near relation of his first wife, he threatened with excommunication, if he dared to cohabit any longer with her; and he admonished him to remove the evil counsellors, who had advised him perversely. "Weighing, with awful resolution, says he, the value of earthly possessions, it is then, I think, that a bishop best merits his name, when, in the cause of justice, he suffers persecution. In obedience to the laws of heaven, I will rather be hated by the wicked than flatter their desires, and incur the anger of an irritated God."

"To Dalmatia, the states of Venice, and to Sardinia, he wrote in the same style of a judge and their supreme governor.—Even to the inhospitable climes of Russia he extended his monarchical jurisdiction. "Your son, says he to king Demetrius, has been with me, requesting that I would make over your kingdom to him, in the name of St. Peter. His petition appeared just, and I granted it."

"The sons of count Raymond had quarrelled: Gregory, as the umpire between contending princes, undertook to reconcile them. "Tell

them, says he, that, if they disobey my orders, and continue enemies, I will deprive them of the protection of St. Peter: them and their abettors I will retrench from the society of Christians: from that moment, their arms shall be successless in war, nor shall they ever prosper."

"William, our Norman conqueror, he treated with unusual lenity; he speaks of his virtues, of his moderation, and his justice; and because he had shewn more respect than other princes towards the holy see, his regal power, he thinks, should be more mildly handled. But when he sent his legate into England to demand an oath of fealty to himself and successors, and to urge the more regular payment of the subsidy due to Rome, the monarch answered, that the money should be remitted; "but as to the oath, said he, I neither have nor will make it, because I have never promised it, nor do I find that it was ever made by my predecessors to yours."—The pontiff was irritated; "it is his submission, and not his money, that I value, said he; but he acquiesced: he seemed to be awed by William, and probably admired in him that boldness of spirit, which, from the dukedom of Normandy, had raised him to the throne of England.

"The same was not his moderation towards Philip, king of France. Hearing that he had refused to admit to their sees some bishops, who had been canonically chosen, he addressed a letter to the French prelates, expressive of his strongest indignation: "either your king, said he, shall cease from his simoniacal conduct, or the realm of France, struck by a general anathema, shall withdraw from his obedience, unless they rather chuse to renounce their Christianity." Philip gave

way. — Afterwards, in a letter to the monarch himself, he says: “reflect, Sir, how great was the glory of your ancestors, as long as they continued faithful to the church, and protected its rights: but no sooner, in a change of manners, have the divine and human laws been trampled on, than your power and celebrity are no more. The important duties of my charge will often compel me to repeat these truths to you, and sometimes perhaps in severer language.” — Philip had seized by violence the property of some Italian merchants: Gregory commanded him to restore it; should he neglect to do it, he wrote to the count of Poitiers, that it was his intention to remove him from his throne. “Should he persevere in his iniquities, we will sever him and all those who shall obey him as their king, from the communion of the faithful; and every day shall this anathema be renewed on the altar of St. Peter. We have borne his crimes too long; but now were his power equal to that which the emperors of Rome practised on the martyrs, no human fear should withhold our vengeance any longer.”

“But it was with Henry the IVth, emperor of Germany, that was the grand quarrel, and here we shall see marked, in the strongest colours, the magnanimous and proud spirit of Gregory. What first raised the indignation of the zealous pontiff, was the simoniacal distribution of benefices, publicly practised by Henry; and he was accused of various other crimes. The pope exerted all his powers to stem the raging torrent; he advised, he expostulated, he reprimanded, and he threatened. It was in vain; conspiracies were formed against him, his person was seized, but he was rescued by the timely interference of the Ro-

man populace. Under pain of anathema, he then ordered Henry to appear before him at Rome, and he fixed the day for his appearance. The emperor disobeyed the summons, convoked an assembly at Wormes; Gregory is accused of crimes, as unfounded, as they are scandalous, and the sentence of deposition is pronounced against him. On the other hand, the pope calls a synod at Rome, where the prince is solemnly excommunicated and deposed, and his subjects are forbidden to obey him. The sentence was in these words — “Peter, prince of the apostles, listen to thy servant, whom thou hast tutored from his youth, and whom, to the present hour, thou hast freed from the hands of the wicked, who hate me, because I am faithful to thee. Thou canst witness, and with thee canst witness the holy mother of Christ, and thy brother Paul, that unwillingly I was compelled to mount this holy throne. Rather would I have worn out my life in exile, than have usurped thy seat to gain glory and the praise of mortals. By thy favour has the care of the christian world been committed to me; from thee I have the power of binding and of loosening. Resting on this assurance, for the honour and support of the church, in the name of God the Father almighty, of his Son, and of the Holy Ghost, I depose Henry, who rashly and insolently has raised his arm against thy church, from all imperial and regal power, and his subjects I absolve from all allegiance to him. For it is meet that he, who aims to retrench the majesty of thy church, should be despoiled of his own honours.”

“It was the first time that such a sentence had been pronounced against a sovereign prince. — Moder-

rate

rate men were shocked at the procedure, and talked of terms of accommodation. "I am no enemy to concord," replied Gregory, let Henry first make his peace with Heaven: nor did I proceed to this rigour, till all other means had been tried in vain."—Some observed that a prince should not be excommunicated.—"And when Christ committed his church to Peter, answered the pontiff sternly, saying, feed my sheep, did he except kings?"

"The nobles of Germany, whom the crimes and misconduct of Henry had exasperated, resolve not to lose so favourable an occasion of resenting their injuries, and publicly announce their intention of electing another master. To ward off the blow, Henry crossed the Alps, hoping by this apparent submission, to appease also the anger of Gregory. Arrived at Canusium, a castle belonging to the countess Matilda, where the pope then was, he dismissed his guard, laid down every ensign of royalty, and barefooted, in the humble garb of a penitent, he presented himself at the gates. He was refused admittance. It was winter, and the season was severe. Here he remained, silent and submissive, till the rising of the fourth sun, when, at the intreaty of Matilda and others, he was admitted to the presence of Gregory. An accommodation took place, and his absolution was pronounced, on condition, that he should ever remain obedient to the holy see, that he should appear before his accusers, to answer to their charges, and that he should abide by the final award of Rome. Henry assented. In the presence of the people, Gregory then celebrated the sacred mysteries; and after the consecration, whilst the emperor and his assistants stood round the altar; "I have been ac-

cused, said he, (turning towards them with the holy bread in his hand,) by you and your party, of various crimes, as well before as since my promotion to the chair of St Peter. They that know me can sufficiently attest my innocence; but that the world may know it; let this body of our Lord, which you see, be a witness to me: if I am guilty, may I die!" Uttering these words, he put a part of the sacred bread into his mouth, and swallowed it.—The solemn and unexpected action struck the assembly, and their acclamations sounded through the castle. The pontiff then addressed the astonished prince, "My son, the remaining portion is for you. The German nobles have accused you, and they demand that you be judged; but how uncertain are the judgments of men! If you feel yourself innocent, at once save your own honour, silence your enemies, and make me your friend. God shall be your judge." So saying, he advanced towards him: the emperor shrunk back, and withdrawing, for a moment, with his friends, it was determined that he should not expose himself to the tremendous ordeal,

"The Lombards, looking with indignation on this base submission of their king, resolve to give their allegiance to his son, who was yet an infant. Henry takes the alarm, and breaks through the treaty he had just contracted.—But the German states assemble at Forcheim, and being informed by the pope's legates, that the sentence of deposition against Henry had not been revoked, though he had been taken into communion, they elect for their king Rodolphus duke of Suabia.—Gregory, to whom sufficient attention had not been paid in this important step, for some time seemed

to remain neuter between the contending factions. He received their ambassadors, who came to petition that the artillery of the Vatican might play on their respective enemies. The pontiff only answered, that they should first lay down their arms, and he would judge their causes. But inaction ill-accorded with his restless disposition: he convoked another synod, wherein Henry was again excommunicated and deposed, and his dominions solemnly transferred to Rodolphus. To the new king he promised victory; and seemed to predict death and successful arms to the deposed monarch. Heaven was inattentive to his voice; for, after repeated battles, Rodolphus himself fell. Henry then marched to Rome, accompanied by Guibertus, archbishop of Ravenna, whom he had chosen anti-pope, and laid siege to the castle of St. Angelo. The tiara trembled on the head of Gregory; and he was on the point of falling into the hands of his enemy, when the renowned Robert Guiscard, who was become the fast friend of the pontiff, marched from the East to his deliverance. The siege was raised, and Henry, whom his anti-pope had just crowned emperor, retired. But the Romans, worn down by troubles and the devastations of war, began to treat Gregory as the author of their misfortunes. His high

spirit could ill-brook this reverse of fortune: he withdrew to Salerno, where he died the year following, in 1085.

"Nor was he more indulgent to the vices of churchmen than to the excesses of princes. Bishops and archbishops, whose sins were flagrant, he excommunicated and deposed, in all quarters of the globe, and his censures fell, like the hail in March, wherever vice dared to rear its head. But to the virtuous he was indulgent, and he rewarded their merit.

"Notwithstanding this extraordinary severity of character and conduct, Gregory found friends in the softer sex, Agnes, mother to Henry, and Matilda his relation, countess of Tuscany, admired him as the greatest and best of men: nor was theirs a sterile admiration. The countess made over to the holy see all her possessions, which were considerable, in Lombardy and Tuscany; her purse and interest were ever devoted to Gregory; and her armies were ready to march at his call. As might be expected, his enemies, who were numerous, and particularly the churchmen, whose incontinence he chastised with a severe hand, were loud in their reflections; but so irreproachable and so exemplary was the tenour of his life, that malevolence itself could not tarnish its lustre."

LIFE of ARNOLD of BRESCIA.

[From the same Work.]

"**A**MONG the extraordinary characters, which illustrated or disgraced this period, none drew after it more observation, than that

of Arnold, whose name has been more than once mentioned, born at Brescia, a town in the Venetian territories. When young he quitted his

his native country, and travelling into France, became a scholar of Peter Abeillard. What proficiency he made in science, is not said; but his contemporaries describe him as a man endowed with no uncommon abilities, possessing a great fluency of language with little judgment, fond of novelties and of opinions the most paradoxical. After many years residence in France he returned to Italy. — Arnold was soon sensible, that celebrity was not to be obtained by ordinary means, and his dispositions were little formed to pursue the beaten paths of life: to collect a party, to give his name to a sect, or to attack the rich and powerful, were ideas before which his mind expanded. Objects could not be long wanting for the exercise of his wildest ambition. He viewed the depraved manners and the intemperate lives of the monks and clergy, and against them he would direct the severest opposition. His cause, he well knew, would be popular, and the better under the guise of sanctity, to effect his purpose, he threw over his shoulders, the austere dress of a religious man.

“ Thus habited Arnold opened his invective in the streets of Brescia. The people crowded round him. He told them he was sent to reform abuses, to pull down the proud, and to exalt the humble. He then pointed his declamation against the bishops, against the clergy, against the monks, and finally against the Roman pontiff himself: to the laity only he was indulgent, and them even he flattered in their crimes. Churchmen, said he, who hold benefices, bishops who have domains, and monks that have possessions, will all be damned.—His hearers shouted approbation. These things, continued he, belong to the prince, he may give them to whom he

pleases, but he must give them to the laity. It is on their tithes and the voluntary contributions of the people that those sons of God must live: they must be frugal, content, and mortified.

“ Thus does Guntherus of Liguria, a very elegant poet of the age, speak of Arnold and his preaching:

“ Tandem natalibus oris
Redditus, assumpta sapientis fronte, disertò
Fallebat sermone rudes; clerumque procaci
Insectans odio, monachorum acerrimus
hostis,
Plebæ adulator, gaudens popularibus auris,
Pontifices, ipsumque gravi corrodere lingua
Audebat pipam; scelerataque dogmata
vulgo
Diffundens, variis implebat vocibus aures.”

“ The church of Brescia was soon thrown into the greatest confusion, and the people, already prejudiced against their ministers, threatened to overturn their altars. The sacred writings he had the address to urge in support of his assertions, and from them he denounced the vengeance of Heaven against the violators of the law. Indeed, nothing could be more glaringly offensive than the ostentatious parade of the bishops and great abbots, and the soft and licentious lives of the monks and clergy; but Arnold, in his declamation, far exceeded the bounds of truth.

“ Pontificum fastus, abbatum denique laxos
Damnabat penitus mores, monachosque
superbos.
Veraque multa quidem, nisi tempora nostra
fideles
Respuerent monitus, falsis admixta monebat.
Et fateor, pulchram fallendi noverat artem,
Veris falsa probans; quia tantum falsa loquendo
Fallere nemo potest.”

“ In 1139 was celebrated a grand council at Rome. Arnold was cited to appear before it. His accusers were

were the bishop of Brescia, and many others, whom he had ridiculed and insulted. Nor from his judges could he look for much indulgence. He was found guilty, and sentenced to perpetual silence. Considering his crime, this surely was a gentle punishment. But Arnold, whose highest ambition lay in the free use of words, viewed it, possibly, in a less partial light: he therefore instantly left Italy, crossed the Alps, and sat down at Zurich, where he dogmatized with new virulence and great success.

"Territus, et misera confusus imagine
culpa,

Fugit ab urbe sua, transalpinisque receptus,
Qua sibi vicinas Alemannia suspicit alpes,
Mabile Turingum, doctoris nomine falso,
Insedit, totamque brevi, sub tempore ter-
ram

Perfidus impuri exdavit dogmatis aura."

"Though Arnold had quitted Italy, yet had his opinions taken deep root, and Rome itself was infected by them. Irritated by the conduct of their master, Innocent the Second, the Roman people assembled in the Capitol. It was proposed that the power of the pontiff, which they called exorbitant, should be restrained: this was carried: when suddenly, inspired as it were by the genius of the place, they moved that the senate, which for years had been abolished, should be restored. The proposition was received with the loudest acclamations. Innocent in vain opposed the bold design; there was a magic in it which spread irresistibly, and for a moment seemed to rouse the fallen spirit of the nation. The pope viewed with horror the reverse of fortune which threatened the tiara; to be shorn of his mighty power, and to become the mere shepherd of the Christian people, was a thought too afflicting: he fell sick, and died.

"Under his two immediate successors, Celestin and Lucius, whose reigns were but of a few months, the Romans pursued their darling object. They waited on the latter, and, in an imperious tone, demanded the restitution of all the honours and civil rights, which had been usurped from the people. The prince of the senate, said they, whom we have chosen, will best administer the important trust: the tithes and offerings of the faithful will sufficiently answer all the exigencies of your holiness: it was thus that our ancient bishops lived.—Lucius had recourse to Conrad, the king of the Romans; and at the same time, the malcontents sent an embassy to him, offering him their empire, and requesting that he would march to their assistance. To this invitation Conrad gave no attention; he viewed it as an attempt, at once wild and licentious: but to the pope's deputies he shewed every mark of esteem. Lucius survived this event but a few days.

"Eugenius the Third was his successor, the friend and disciple of the renowned Bernard. The night before his consecration the senators assembled, and it was agreed, that either he should solemnly confirm all their proceedings, or they would annul his election. This resolution was notified to him. He called together his friends; and it was their advice, that he should neither accede to the extravagant demand, nor expose himself, by a refusal, to the fury of the populace. He therefore silently withdrew from Rome, and retired to a neighbouring fortress. Here the ceremony of his consecration was performed.

"Arnold who, in banishment, had contemplated the effect of his admonitions on the minds of the Romans, and the success which seemed to

follow

follow their exertions, was now informed that the pope had retired, and that the gates of the capital were open to receive him: it was likewise suggested to him, that his presence was more than ever necessary, to give energy to their resolves, form to their plans, and stability to their undertakings. Arnold took fire at the news; an unusual swell of enthusiasm filled his breast; and he fancied that, like Junius Brutus, he was called at once to give liberty to Rome. — At his appearance a new stream of vigour animated the citizens; they called him their friend and deliverer. The Brescian walked amongst them; his deportment was humble, his countenance emaciated, his address affable, and he spoke to them of moderation, of submission, of obedience. — With the nobles and new senators he held another language; though to them also he was mild and diffident, speaking much of virtue and of respect for religion and the laws.

“But no sooner was he sensible of his own real influence, and saw the lengths to which the revolvers had already carried their designs, than he threw aside the mask, and appeared in his own character, daring, impetuous, self-sufficient, vain. He harangued the people; he talked of their forefathers, the ancient Romans, who, by the wisdom of their senate, and the valour of their armies, had conquered nations, and subdued the earth. He dwelt on the names and the achievements of the Bruti, the Gracchi, and the Scipios; and of these men, said he, are you not the children? He advised, that the Capitol be instantly repaired, that the equestrian order be restored, that the people have their tribunes, that dignity attend the senate, and that the laws, which

had been silent and neglected, be revived in all their vigour. He spoke of the pope, as of a deposed and banished tyrant: “But should you again be deposed, continued he, to admit him within these walls; first fix your own rights, and determine his. He is but your bishop; let him therefore have his spiritual jurisdiction. The government of Rome, its civil establishments, and its territories, belong to you. These you will keep, if you have the spirit of men, and the hearts of Romans.”

*“Quintiam titulos urbis renovare vetustos,
Patricios recreare viros, prisque quirites,
Nimine plebeio secernere nomen equestre,
Jura tribunorum, sanctum separare senatum.”*

*Et senio scissas, mutasque reponere leges;
Lapsa ruinosis et adhuc pendentia muris
Reddere primævo Capitolia præca nitenti
Suadebat populo.”*

“Fired by this harangue, the people, headed by the most disaffected of the nobles, publicly attacked the few cardinals and churchmen who remained in the city; they set fire to the palaces; and they compelled the citizens to swear obedience to the new government. Moderate men, who saw the folly of the attempt, were shocked at these excesses of popular phrenzy; but it was in vain to oppose the torrent: they submitted, looking forward, with some curiosity, to the termination of an event, which had begun in extravagance, and must end in disappointment.

“Eugenius till now had viewed, with some concern, the wild derangement of his people; but when it seemed, that their eyes opened to their own excesses, he could be inactive no longer. He excommunicated the ringleaders of the faction, and at the head of his troops, who were chiefly composed of Tiburtini, a people always hostile to the Romans,

Romans, he marched against the enemy. His friends, within the walls, who were numerous, co-operated with his designs, and in a few days, overtures for peace were made to the pontiff. He acceded to them, but on condition, that they should annul the arrangements they had made, and if they would have senators, that they should acknowledge all their power was from him. The people were satisfied, and they threw open the gates, through which Eugenius entered, among the acclamations of a fawning and inconstant multitude.—Before this event Arnold had retired; but he left behind him many friends strongly attached to his person and principles.

“We hear little more of this enthusiast, for such he was, till the reign of Adrian, our countryman, when, on account of fresh tumults, he and his adherents were excommunicated, and Rome was threatened with an interdict, unless they expelled the whole party from their walls. This they did. The Arnoldists retired with their champion into Tuscany, where he was received as a prophet, and honoured as a saint. His enemies, however, prevailed: he was made prisoner, and conducted, under a strong escort, to Rome. In vain was great interest made to save his life; he was condemned and executed, and his ashes thrown into the Tiber, lest the people should collect his remains, and venerate them as the relics of a sainted martyr.

“Such was Arnold of Brescia, a man, whose character, whose principles, and whose views, we per-

haps should be disposed to admire, had his life been recorded by unprejudiced historians, and not brought down to us drawn in the blackest colours, which party, bigotted zeal, and enthusiasm could lay on. He was rash, mis-judging, and intemperate, or never would he have engaged in so unequal a contest.—The view of such a phenomenon in the twelfth century excites a pleasing admiration. To attack the Roman pontiff and his clergy in the very centre of their power, required a more than common share of fortitude; to adopt a settled scheme of restoring to its pristine glory the republic of Rome, demanded a stretch of thought, comprehensive and enterprising; and to forego the ease and indulgence of a dissipated age, for the reformation of manners and the suppression of what he thought usurped dominion, argued a character of mind, disinterested, generous, and benevolent. But Arnold, like other reformers, went too far; and passion soon vitiated undertakings, which were begun perhaps with motives the most laudable.—The readiness, with which the Roman people embraced this plan of lowering the jurisdiction of the pontiff, and restraining it within those bounds, which the true spirit of christianity had fixed, at once shews, that they could reason justly, and that they considered the unbounded sway of the triple crown, to which reluctantly they submitted, as an assumed prerogative, to which violence or misconstruction, and not christian right had given efficacy.”

CHARACTER of M. TURGOT.

[From the Life of that Gentleman, written by the Marquis of Condorcet.]

“ I have described the opinions and the principles of M. Turgot, is to have painted his character. If we seldom find the character and conduct of men conformable to their principles, it is because they seldom possess the principles which from hypocrisy or vanity they affect to possess; or it is because their principles are prejudices which they have imbibed, and not truths whose proofs they have felt; and that their reason has no share in them. — M. Turgot, on the contrary, had adopted no principle without analyzing it, and without an intimate persuasion of its truth: all his sentiments were consequences of his opinions, and all his actions directed by reason. This explains to us wherefore he was so severe respecting his own moral conduct, and yet so indulgent to the faults of others, whom he often thought less culpable than our present social institutions: and wherefore it was that of all the crimes of humanity, the abuse of power and the contempt of truth, excited his strongest indignation; (for he considered the knowledge of truth as the foundation of happiness, and the sentiment of benevolence as the fountain of every other virtue;) and wherefore, lastly, he held the diffusion of knowledge by means of good productions, as one of the most important services that could be conferred upon society; and could never forgive those who by restrictions upon the liberty of writing injured the progress of knowledge, nor those who defended in their works sentiments which they could not believe. Impostors, whatever habit and mask they wore, excited in him

an aversion mixed with disgust; because in his eyes to deceive men, and to do them a real injury, was the same thing. — This strong conviction of mind, when united to courage, produces strength of character; and we feel how rare a phenomenon it must be. M. Turgot possessed it, and could not help despising the man who possessed it not. Indulgent towards those who gave way, or who surrendered themselves entirely to their disposition for pleasure, he was inexorable when they mixed religious practices with such gratifications; because this mixture is a proof either of a shameful pusillanimity, or a criminal hypocrisy. — His hatred of the wicked was open and irreconcilable: and he even pretended that honest men only were ever inexorable; for that knaves knew how to injure and to revenge, but not how to hate. — Satire, if it were true, and had vice and public crimes only for its object, appeared to him a just weapon. He believed that a man might be permitted to conceal his name, for it was not necessary, for a mere display of courage, that an honest man should expose himself to unjust oppression; and [thus] the most virtuous man that perhaps ever existed wrote satirical verses.

“ As he could not dissemble his hatred of the wicked, and his contempt for cowardice and meanness, these sentiments involuntarily painted themselves upon his face, his looks, and upon his whole countenance. — This defect in the command of his outward deportment, resulting from the candour of his soul, contributed as much as his

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[14] CHARACTER OF M. TURGOT.

confined education to the timidity and embarrassment that he carried with him into the world. To such a degree did they extend, that he permitted false arguments, and sometimes, though very seldom, bad principles to be advanced in his company, without opposition, and without advancing a word in favour of truth: but he could never silence the features of his face.—As this hatred of the vicious was a consequence of his love of human nature, it never inspired in him injustice or vengeance. It influenced not even his judgments. He praised his most inveterate enemy, if he did any thing deserving of praise, and defended him against any unjust imputation, allowing him the merit or the good qualities that he really possessed; but he did not think himself obliged, in order to obtain the reputation of a great soul, to betray the truth, nor to spare vice because himself had been the victim of it.

“His disinterestedness was such might be expected from strict justice, an exact estimation of the advantages of wealth, and a true superiority of mind. The disinterestedness which is allied to vanity, and of which men are desirous of making a merit, excited his compassion or his contempt.—Possessing the virtue of humanity in its highest perfection, he exercised it with all the delicacy, and I dare assert with all the refinement, of which it is susceptible. It was his duty to be beneficent, but he was so without ostentation; and he considered this virtue as a weakness, unless by subjecting it to reason it was made servicable to the general utility.—All his sentiments were pure; all his first impulses were mild or courageous; and his calm soul, replete with candour and justice, offered to

the eyes of those who could look at it a spectacle equally delightful and sublime.

“The constant agreement between his principles and his conduct, his sentiments and his reason; the union of steadfast justice with the sweetest humanity, of the most rigorous virtues with the most amiable qualities, of sensibility with firmness of character, of justness with subtlety of thought, of method in reasoning with boldness of ideas, of refined analysis with extensive views, of depth with accuracy of detail; the uncommon merit of having embraced every thing in his knowledge, and the more uncommon merit still of having introduced into the mighty whole so much clearness and truth; an immovable constancy in his opinions, without ever exaggerating them; all these qualities, form an assemblage that is perhaps peculiar in the history of man, and which could not have been exhibited but in a peaceable and cultivated nation, and in an enlightened age.

“Many individuals have practised great virtues with more eclat, have possessed more brilliant qualities, and discovered in a single line more genius; but no man perhaps ever displayed a whole so perfect and so imposing. It seems as if his wisdom and his strength of mind, by seconding the happy gifts of nature, had made him not susceptible of any ignorance, weakness, or defect, but what are inseparable from the state of a limited being.

“It is in this extraordinary union that we should look both for the source of the little justice that was done to him, and of the hatred that was excited against him. Envy seems to attach itself more closely to that which approaches to perfection, than to that which, though it

strikes

strikes with astonishment, affords, by a mixture of defects and vices, that consolation of which envy stands in need. We may hope to dazzle the eyes of men and obtain the title of a man of genius, by combating or by flattering popular prejudices with address, and we may hope to cover our actions with the mask of some exaggerated virtue; but the constant practice of virtue that is simple and unostentatious, with a reason always upon the stretch, and always steady in the road of truth; this is what hypocrisy, this is what imposture despair of imitating; and is therefore what they endeavour to stifle and destroy.

"To judge properly of M. Turgot, it is necessary to know his whole character. He might have been thought cold, and yet his reason only had preserved him from being very passionate. He was esteemed disdainful, whereas never did man feel a more profound esteem for talents and virtue, or set a higher price upon the efforts of mediocrity, when modest, and usefully employed. He appeared minute; but it was only because he had included every thing in one vast plan, and connected whatever appeared of importance in his eyes by ties that often were invisible to all but himself. He seemed susceptible of

prejudice; but it was only because he judged for himself, and because the common opinion had no power over him. He was believed proud; but it was only because he concealed neither the consciousness of his powers, nor the firm conviction of his opinions; and because, feeling how closely they were connected with each other, he would neither abandon them in conversation, nor defend separately any detached part. The particulars of his opinions were indeed not known, and few persons in Europe were ripe for doing justice to them as a system; and as the case could not be compared to that of detached discoveries in a single science, or literary works in actual possession of the public, how could persons under the influence of prejudices judge of him with fairness?

"It was by these circumstances that a man who never did any thing but what was good, might happen to have many enemies; while his reputation as a virtuous and intrepid citizen, and as one possessed of understanding and extensive knowledge, corresponded among the vulgar to their idea of one of the most extraordinary men that nature ever produced, and of one perhaps who fell the least short of that perfection to which human nature can be raised."

PARTICULARS of the LIFE of DR. JOHN JEBB.

[Extracted from Dr. DISNEY'S Memoirs of his Life, prefixed to the Edition of his Works.]

"JOHN Jebb, the subject of these memoirs, was born in Southampton-street, Covent-Garden, London, on the 16th of February, 1736, N. S. He was the eldest son of the

rev. John Jebb; (who was the youngest son of Mr. Samuel Jebb, formerly of Mansfield, in Nottinghamshire) dean of Cashell in the kingdom of Ireland, and of Anne, daugh-

daughter of David Gansell, esq. of Donyland-hall, near Colchester in Essex.

“ He received the elements of his education at different schools in various towns of Ireland and England, viz. Drogheda, Carlow, and Dublin, in the former; and Shrewsbury, Stand near Manchester, Leicester, and Chesterfield, in the latter kingdom. He continued two or three years at Chesterfield, and concluded his school education under the tuition of the rev. William Burrow, and the rev. — Saunders, then joint-masters of the grammar school there. As he was kept longer at Chesterfield, and had received more advantage from the attention of the masters, than at any former place, he was wont to express his obligations to them, in the terms of gratitude, to which their abilities and care entitled them.

“ From Chesterfield he was again removed into Ireland, and admitted pensioner in the university of Dublin, July 7th, 1753, under the tuition of the rev. Dr. Leland; and while Dr. Baldwin was provost of the college.

“ The institution of frequent public examinations, and the distribution of literary rewards, as an encouragement to proficiency in academical exercises, formed some of the wise regulations of that university. In Easter term, 1754, our young academic obtained copies of Horace, Juvenal, Terence, and Plato's Dialogues, as the reward of his diligence and learning.

“ In the summer vacation of this year, Mr. Jebb again crossed the Channel, and came into England; and was once more destined to change the place of his education. In ordinary cases, such frequent re-

moval is unfavourable to real improvement: and, being liable to unsettle the attention, to derange the acquirements already made, and to increase the difficulties and discouragements in attaining the elementary parts of language and science, is sometimes fatal to a young mind. Very fortunate for Mr. Jebb, it seems to have been almost indifferent to his literary progress, in how many places he received the lessons of instruction. And, as the English universities acknowledge the legitimacy of their relationship to the university of Dublin, he lost no academical time by his removal from thence. Accordingly he was admitted pensioner of St. Peter's college in Cambridge, on November the 21th, 1754; under the tuition of the rev. Daniel Longmire, and the rev. William Oldham, who were, at that time, the two learned and much respected tutors of that college: and, during the vacancy of the mastership, by the resignation of Dr. Keene, then bishop of Chester, and previous to the appointment of Dr. Law, the present bishop of Carlisle*.

“ Mr. Jebb being, by the rules of the university of Cambridge, entitled to the terms which he had kept in the college of Dublin, he consequently proceeded to take the degree of bachelor of arts in January 1757; and his place, in the distribution of honours on that occasion, was that of second wrangler. And when it is considered, that precedency, at such times, was only to be attained by superior skill in the mathematics and natural philosophy; and that so eminent a mathematician as Dr. Waring, the present Lucasian professor, was the first, Mr. Jebb's place becomes equal, in

* Dr. Law died within a few months past.

honour, to the highest distinction on ordinary occasions.

"Immediately upon having taken his degree, he undertook the charge and trouble of private pupils: and continued this kind of tutorage, during the whole time of his future residence in the university. His unwearied diligence, in conducting the studies of six or eight young persons, at separate parts of the day, besides the pursuit of his own improvement, are proofs of an attention and labour, not only unusual at his early age, but frequently more than equal to the constitution and abilities of the most able and assiduous at any period of life.

"But, notwithstanding the hindrance arising from this course of tutorage, he obtained, in 1758, the second prize of fifteen guineas, annually given, by the members of the university, to the authors of the best compositions in Latin prose, being middle or senior bachelors of arts. Dr. Roberts, the present provost of Eton college, was his associate in success, and obtained the first. The subject appointed for these exercises, this year, was; "*Utrum diversarum gentium mores & instituta solvi possunt ex diverso earundem situ.*"

"In the month of June 1760, Mr. Jebb was admitted probationer fellow of St. Peter's college, and proceeded to the degree of master of arts at the commencement in the same year; and on the first of July 1761, was confirmed fellow, by Dr. Mawson, bishop of Ely.

"On the sixth of June 1762, he was ordained deacon at Buckden, by Dr. John Green, bishop of Lincoln; and on the twenty-fifth of September, 1763, he was admitted, by the same bishop, into priest's orders.

"On the 22d of August, 1764, 1787.

Mr. Jebb was collated by Dr. Matthias Mawson, bishop of Ely, to the small vicarage of Gamlingay, near Potton, in Bedfordshire, upon the recommendation of Dr. Law, master of Peterhouse. On the 17th of the following October, he was elected by the university into the rectory of Ovington, near Watton, in Norfolk, after a competition with the rev. Henry Turner, then fellow of St. John's college, now vicar of Burwell, in Cambridgeshire. Upon casting up the votes, there appeared to be for Mr. Jebb, 91; for Mr. Turner, 73: and, accordingly, he was instituted into the same, the 15th of December following.

"On the 29th of the same month, (December 1764) Mr. Jebb married Anne, eldest daughter of the rev. James Torkington, rector of Little Stukely, in Huntingdonshire, and of lady Dorothy Sherard, daughter of Philip, second earl of Harborough.

"Early in the year 1765, Mr. Jebb, together with the rev. Robert Thorpe, fellow of Peterhouse, and the rev. George Wollaston, fellow of Sidney college, published, in a small quarto, a comment on those parts of Sir Isaac Newton's "*Principia*," which more immediately relate to the system of the world. The title of the joint work of these able and judicious philosophers, was, "*Excerpta quædam e Newtoni principiis philosophiæ naturalis, cum notis variorum.*" But as it was the produce of the united judgment and labours of three friends, without any possibility of discriminating their respective shares, it must remain the undivided and honourable property of them all. And, consequently, however valuable in itself, is excluded from a place in these volumes. The university

versity of Cambridge, continues to bear testimony to the utility and excellence of this work, by the general use of it, in the course of academical education.

"After the publication of the *"Excerpta,"* Mr. Jebb removed to Potton in Bedfordshire, and settled in hired lodgings there, with a view of being near to Gamlingay: which vicarage, however, he resigned the 10th of August, 1765, having held it not quite twelve months. But he continued at Potton from April to November; during which time, I find, that, besides a great variety of other employments, "he read through the Pentateuch in Hebrew, harmonized the Gospels, read about five hundred verses in the Koran, and some other things in Arabic, and studied geography." In the latter end of December, he returned to Cambridge, and resided in a house in St. Andrew's parish. In the following spring, (March 28, 1766), he entered on the curacy of St. Andrew's church; the rev. Dearing Jones, rector of Navenby, in Lincolnshire, being then also vicar of that parish. Mr. Jebb was likewise appointed lecturer of St. Andrew's, in the room of the rev. Henry Hubbard, who had been in that place near twenty years.

"On Mr. Jebb's re-settlement in Cambridge, he again resumed the office and labour of private tutor, and had seven pupils attending him every day; adding to the accustomed labours of this employment, lectures in Butler's *Analogy*, on Sunday evenings. He also read lectures at Trinity-hall, in Tully's Offices, for Dr. Ridlington, during the two first terms of this year; and applied himself to the study of French and Italian, under the instruction of a friend.

"Mr. Chappelow, professor of Arabic, died on the 14th of January, 1768. Upon his decease, Mr. Jebb offered himself a candidate for the professorship. He had previously qualified himself in the Arabic language, by much application and study, and, I have some reason to think, not without a view to that appointment, particularly as the very advanced age of Mr. Chappelow made a vacancy an event that might naturally be expected at no very distant time. The competitors for this office, were few: and I remember to have heard the general voice of the university decidedly in favour of Mr. Jebb. There arose, however, a candidate whose success, superseded Mr. Jebb's well-founded pretensions; and that candidate was his near relation, and, I believe, at that time, his friend. The person here meant was Dr. Samuel Hallifax, who was then the representative, or deputy, of Dr. Ridlington, professor of civil law, to whose chair he was considered by himself as heir apparent, and to which he actually succeeded in about two years afterwards. When the university were disposed to be friendly to our author, it is to be lamented that he found an adversary, who, from academical connections, had the greater interest among the heads of houses, with whom lay the election. It is also to be regretted, that the same gentleman, who was so well assured of succeeding soon to the chair of civil law (the immediate line in which he was engaged), should impatiently seize the passing offer of the Arabic professorship, to the prejudice of another, who would so honourably have filled it; and who would have devoted some time, at least, to the teaching that language in the university, which

it may be presumed, was certainly in the contemplation of the founder.

"On the 21st of November, 1768, he entered on his course of lectures on the Greek Testament; concerning which, the "Short Account" he afterwards published, will afford the best satisfaction. In this employment he eminently increased his usefulness; and found, in his own reflections on the good work he was engaged in, that consolation which supported him under the bitterest and most unrelenting ill usage; and to the last hour of his life, he enjoyed, in the review of his own improvement in the knowledge of the scriptures, and of his earnest endeavours to promote it in others, that satisfaction which the world could neither give nor take away.

"The patronage of Mr. Jebb, which, in every view, would have done honour to the reputation of the university of Cambridge, was reserved for a private gentleman, except his election into the small living of Ovington, before mentioned. On July 10, 1769, he was instituted to the vicarage of Flixton, near Bungay, in Suffolk, on the presentation of William Adair, esq. of Flixton-hall. And on the 4th of April, 1770, was instituted to the united rectories of Homersfield, and St. Cross, parishes contiguous to Flixton, upon the same presentation. Being also, in the summer of the same year, nominated chaplain to Robert earl of Harborough. In consequence of the accession of these preferments, though not considerable in themselves, he resigned, some time in the month of October, 1771, the rectory of Ovington, which he had received from the University; and Mr. Sheep-

shanks, fellow of St. John's college, was elected in his place.

"Dr. Hallifax succeeding to the professorship of civil law, in the month of October, 1770, upon the death of Dr. Ridlington; Mr. Jebb once more solicited that of Arabic, which Dr. Hallifax then vacated: but as he had now, by exercising that liberty of prophesying, which becomes every protestant Christian; and by recommending the same to others, in his theological lectures, greatly offended the majority of the electors, he was again disappointed. When he was opposed by Dr. Hallifax, the electors were well inclined to do justice to his learning; on his second canvass for the same office, the spirit of inquiry which he had raised among the younger students, was imputed to him as a crime deserving the resentment of their seniors. In these observations, his opponent is no way concerned. Mr. Craven, the successful candidate, was a truly respectable character, and now enjoys, with reputation, that laurel which friendship would have placed on the brow of Mr. Jebb.

"Early in the year 1771, the design was formed of applying to parliament for relief in the matter of subscription to the Liturgy and thirty-nine articles of the church of England. Mr. Jebb was acquainted with and assisted in it by his counsels, from a very early period. He came to London, upon this errand, in the month of April; and on July the 17th, he attended the first general meeting at the Feathers tavern, in consequence of public advertisement for that purpose; at which time, he was appointed one of the "committee, to prepare a petition to parliament to obtain redress in the matter of sub-

scription to the Liturgy and thirty-nine articles of the church of England."

"At a meeting of that committee, on the 20th of September following, a draft of a petition was laid before them, and after some revision, approved. And the petition so agreed on, was afterwards adopted, at the second general meeting, on the 25th of the same month.

"In the interval between such second general meeting and the following one, fixed for December the 11th, or, more accurately, very soon after the 25th of September, it was judged expedient to circulate an explicit account of the plan and design of the association; and though such paper was not formally avowed, by vote, either of the committee or general meeting, it was unanimously approved by the committee, and printed at their joint expence. It has generally been denominated "the Circular Letter;" and this letter was the production of Mr. Jebb, subject indeed to some few corrections, which the several members of the committee suggested.

"In January 1772, the letters which Mr. Jebb had written in the course of the winter, in the Whitehall evening post, under the signature of "Paulinus," were collected, revised, and re-published together, in a pamphlet, at the instance of some particular friends. They were much read and circulated; and were generally understood to render essential service to the cause of the petitioning clergy, previously to the introduction of their petition into the house of commons. Notwithstanding which, it is apprehended, that the author's sentiments concerning the reformation of the established church, under-

went some further considerable changes in the subsequent part of his life.

"The fourth general meeting of the clerical petitioners was held the 23d of January, 1772, when the former committee, (with the addition of several other persons,) were "appointed to carry the petition into the house of commons, as early as possible that session of parliament." And the petition was accordingly presented on the 6th of February, by sir William Meredith, and his motion thereon was seconded by Mr. Thomas Pitt, now lord Camelford.

"Thus much is observed, only to shew the personal concern and share Mr. Jebb took in the whole of that business, without any intention of entering into a detail of the proceedings of the association.

"During the months of February, March, and April, 1773, Mr. Jebb was particularly employed in attendance on the business of the clergy associated for obtaining relief in the matter of subscription; and, on the questions relating to the establishing annual examinations at Cambridge.

"It may be thought by some persons, who have been used to confound academical foundations with monastic institutions, that the disputes in the university may be of no more consequence than the brawls and contentions of monks and friars; but, when they recollect that, in Mr. Jebb's idea, the universities were to be considered in a more important view, as foundations protected by the legislature, and responsible to the public for the discharge of a most sacred trust, the education of the youth destined to occupy the first departments in every profession in the state, can we wonder at his zeal and perseverance

in a cause so essential to this great purpose, and to requisite in a place where statesmen, patriots, citizens, are formed?

"With this just and enlarged idea of the importance of education, every member of the community is indebted to him for his unparalleled exertions to secure the native virtue, and to improve the useful knowledge of future generations.

"The history of his labours and efforts for the reformation of the university of Cambridge, by the establishing of annual examinations, would, of itself, form no inconsiderable work, if given in detail, and would be most worthy of being preserved. He has in part performed this task in his "Remarks" on the subject; but the dispute continued some time, after the publication of the last edition of that tract, and consequently the account falls short of the final issue of this important business.

"Dr. Cooke entered on his vice-chancellorship, on November 4th, 1772, and in his speech upon that occasion, treated in general of the extent and importance of academical education, and of the care and attention necessary in those who should conduct it, with so much spirit and good sense, as induced Mr. Jebb to hope, that the favourable moment was arrived, for the introduction of his long projected institution.

"In this persuasion, he communicated to the vice-chancellor, on the twenty-first of that month, his plan of improvement: but, after many fruitless delays, he found him indisposed to combat the difficulties, which might possibly be thrown in the way of such an enterprise.

"After a suspension of all measures, on his part, for four months,

in deference and compliment to the vice chancellor, he resolved to give his plan to the public, and to try its success in the senate. He published his Remarks on the 6th of April, a second edition on the 16th, and a postscript on the 21st of the same month.

"On the 8th of May, Mr. Jebb offered his first grace for an annual examination, which was rejected in the caput without any reason being assigned for such rejection. On the 11th of the same month, he offered his second grace, and immediately, on the same day, a third, and a fourth grace to the same effect; but all of them were rejected.

"After this treatment at Cambridge, Mr. Jebb retired to Bungay, the 15th of June, and continued there till October; where he studied French and Italian, and proceeded in a plan of some political or constitutional lectures.

"The summer recess was fruitful in many important events to Mr. Jebb, of a different kind; and some of these I wish to mention, as nearly as may be, in the order in which they occurred, that my reader may observe his various occupations, and the great consequences which were involved in their issue; and thereby be better able to contemplate the anxieties of his mind.

"In August, 1773, Mr. Jebb first communicated to a few select friends, his intention to resign his preferments in the established church: nor was such resignation delayed, but on account of reasons which were both disinterested and powerful. His mind, however, at this time, suffered much disquietude, while struggling under the demands of duty, and the obligations of personal attachments, which he had so ingenuously expressed

pressed more than a year before this time.

"While under this embarrassment, and some months before he executed his purpose of resigning his preferment, he finally resolved never to read again the public service of the church, although, while he continued in its communion, he occasionally preached in it.

"In a letter dated from Bungay, the 10th of October, I find a familiar detail of so singular an incident, that I will cite it, as well for its originality, as to diversify the events of our narrative. Previously observing, by the way, that Dr. Goodall, archdeacon of Suffolk, held his usual visitation of a few parishes in the neighbourhood, and which were under a jurisdiction, styled, "the generals," in Mr. Jebb's parish church of Flixton, on September the 25th, this year. This meeting was attended by Dr. Gooch, Messrs. Smith, Ray, Stockdale, Reeve, and Paddon, from among the neighbouring clergy. On this occasion, says Mr. Jebb, in the foregoing letter, "the archdeacon appointed prayers to be read in my church; I appointed myself preacher, and gave a discourse upon subscription. The archdeacon was greatly enraged, although a Wollastonian; and publicly rebuked me before the clergy at the public house where we met: much altercation ensued, yet, I trust, I kept my temper. I told him, I had a right to preach every day in the week, if I thought proper; he was at liberty to retire, if he disliked my doctrine: he talked of authority, complaining to the diocesan, &c. but, I resolutely told him, I should have used the same language to the bishop, had I met with equal provocation. At last, he thought it best to hold

his tongue, and be quiet. Much more was said, but this was the substance. For some days I expected a summons to Norwich, but have heard no more of it. I acted thus, with a view to call the attention of the Norwich clergy to our cause, and have in part succeeded."

"In the opening of the year 1774, Mr. Jebb resumed the business of academical reformation, with a spirit unflinching by disappointment and ill usage. For, on the 16th of February, he proposed a grace, which passed both houses the next day, constituting another syndicate for the purpose of deliberating on the proper measures of reform to be introduced into the university; but taking care, at the same time, that the concurrence of the majority of the whole number should be necessary to their report, previously to its being offered to the suffrage of the senate. The syndicate (as is usual in such cases) was nominated by himself; and although he was forced to compliance in a few instances, the greater number were men, as he said in a private letter, "who had integrity, learning, and ability, and were well disposed to the good work."

"In the course of the syndics proceeding in their business, many difficulties were thrown in their way; but they were surmounted by the better disposition to reformation, which pervaded that respectable body.

"On the 28th of March, 1774, the syndics finally closed, and signed the nineteen resolutions which they had come to, as proper to be submitted to the senate for their approbation, agreeably to their appointment by the grace which passed both houses on the 17th of February.

"These

"These resolutions were read in convocation, April 1, and voted in the senate, on the 19th of the same month; and, to the real astonishment of both sides, were rejected.

"The year 1775, afforded a continuation of his labours, in the recommendation of annual examinations; and completed the design, which he had long contemplated with anxious solicitude, of relinquishing his preferment and situation in the established church.

"Mr. Jebb had previously acquainted some of his particular friends, with his determined purpose, and wrote to them in the progress of its accomplishment. "I have written," says he, (in a letter dated September the 26th, 1775) "to my patron, and to the bishop of Norwich. My situation, I thank God, and a good friend, will not be distressing, though it will be precarious, as I act, I am afraid, in opposition to the inclination of those who, I have reason to think, have it in their power to serve me. But no more of this. I am easy in the thoughts of being delivered from what I esteem worse than Egyptian bondage."

"Mr. Jebb still remained at Cambridge, and probably would have continued to have done so, had not his opponents carried their resentments to the cutting off the sources of his support there. The few months he stayed in the university, were, however, employed in her service in forwarding the great question of annual examinations; but his having relinquished his situation in the established church tended greatly, as it should seem, to defeat its success.

"After various plans in respect to Mr. Jebb's future profession and employment, as the means of an

honourable livelihood, he finally settled in the study of physic: but in all the various schemes, which were suggested by himself, or his friends, he considered his future usefulness, and wished only for a moderate competency.

"His medical designation was proposed by his relation, Dr. (now Sir) Richard Jebb, and determined upon at his instance and recommendation, accompanied by his unlimited promise of professional support. No sooner had this proposal been made and approved, than Mr. Jebb attended Dr. Colignon's anatomical lectures at Cambridge, while yet he continued to give lectures himself in mathematics and natural philosophy, and to give his wonted attention to the interest of the university.

"The summer months of this year he spent partly at Cambridge, and partly with his friends in Huntingdonshire and Middlesex. On the third of September he finally left Cambridge, after a residence there, almost uninterrupted, of twenty-two years. When, after all his disappointments, hard-treatment, may I not say, ill-usage, he left it, "without being at variance with a single person." He affectionately took leave of every acquaintance in the place, and many parted from him with deep regret, who had never contributed to advance his usefulness or to reward his merit while resident among them.

"In the month of September 1776, he came to London, and settled in a house in Craven-street. Here he also gave lectures in the Greek Testament, to two young gentlemen, while he proceeded in the study of physic; he added also to his unceasing application, a regular attendance at St. Bartholo-

mew's hospital as a pupil of Dr. William Pitcairn. "Hard work, but on the whole not unpleasing," as he expressed himself in a letter to me at that time. After he was persuaded to direct his application to medicine, he spoke of it with his usual moderate expectation, and yet that expectation was sufficient to animate his labours: "you may probably have heard of my physical destination, a circumstance, says he, which gives me the hope of eating independent bread."

"The beginning of the following month, while yet barely settled in his new situation, and entering on his medical noviciate, occupied in labour and solitude, he fell ill of a violent fever, which he caught from a patient in the hospital; and which confined him to his bed fourteen days.

"The mind of Mr. Jebb was never unemployed, even in the busiest scenes of active life; but sickness naturally disposes the best of men to look more accurately into the state of their own temper, and designs. This opportunity was not lost, but improved by Mr. Jebb; and it is in this way that we derive advantage from affliction, and justify the ways of God to man, in that fine observation of the author of the Epistle to the Hebrews; "whom the Lord loveth, he chasteneth, and scourgeth every son whom he receiveth." Among other resolutions entered into, on this occasion, as I find them in a private book, which had been seen by no human eye but his own, the following do so accurately express his usual mind and habits, that I transcribe them, not only because they well correspond with his usual course of life, but may suggest to others, the pleasing and rational

consolations of sound religion and good morals.

1. "Employ the whole of every Sunday in sacred study, in reading Hartley, Taylor, and other books, in which the spirit of piety and morality prevails.

2. "Pay particular attention to every declaration that bears the slightest appearance of a promise. And let me sacredly attend to every engagement, even of the most trivial kind.

3. "Let me be sedulously attentive, upon proper occasions, to every person who has shewn me kindness. And omit not the performance of the most trifling circumstance that may give a benefactor pleasure.

4. "Let me read Hartley on ambition; and the proper and primary pursuits of man be diligently studied.

5. "Remember, if it please God that I obtain a competency by my profession, my great work and duty is, to study critically the Scriptures.

6. "Let me never be induced, by the well-meaning expressions of good-will from my friends, to think higher of myself than as a creature who has been exceedingly weak; and as one, to whom God has shewn uncommon instances of mercy. Let not the voice of humility be on my tongue, but the real essence of it in my heart. Read Hartley, and attend to Hoadly's and other forms of prayer, as necessity or opportunity shall suggest.

7. "Strive to acquire Christian stoicism; to this purpose read with the Scriptures, the works of Antoninus and Epictetus.

8. "Speak the truth. Lie not through fear of man's resentment, nor seek the favour of any by disguising

guising, or softening my sentiments.

"On the eighteenth of March, 1777, he received his diploma of doctor of physic, from the university of St. Andrew in Scotland; his medical recommendation having been signed by four gentlemen of the faculty, of the first distinction and eminence in London. And he was admitted licentiate by the college of physicians, on the twenty-fifth of June following.

"Dr. Jebb, from his universal learning, and from his philosophical mind, entered on the study of his profession with singular advantages; but although "he began," as a truly great and excellent man once said, "where others often left off;" yet, he was diffident and distrustful, from his native modesty; and never considered the simply passing through professional forms, as a sufficient qualification for a conscientious undertaking of the duties of any station. In his present situation he wished to complete his two years of probation, agreeably to the advice of Dr. Warren, and Dr. R. Jebb, computing that time from his first designation to the profession of physic. Therefore, though qualified by his graduation and by custom, he suspended the commencement of practice till February the fifth, 1778. Nor did he then enter upon so important a business without much reflection, and many well-weighed resolutions.

"The commencement of practice, was, no more than the forms of it, to exclude the accession of knowledge, in the estimation of Dr. Jebb. While, therefore, he was exercising the art of healing, he laboured to improve himself in those branches which were to direct it with greater success. He applied closely to private study; and, this

year again attended Dr. Hunter's lectures both in the spring and winter: the lectures of Mr. John Hunter, and Dr. Higgins; he also diligently attended St. Bartholomew's hospital from April to October.

"At this time, while the private friends of Dr. Jebb were desirous of extending his practice, it is greatly to the honour of many eminently and deservedly distinguished names in medicine, that they concurred in introducing him into the Royal Society. His certificate, which was read on the twelfth of November, 1778, had previously received such very respectable signatures, as to shew that the cause and countenance of science were not uninterested in his election.

"After the certificate had hung up in the society's meeting room the statutable time, Dr. Jebb was elected a fellow on the 18th of February, 1779. It has also been further observed to me, that though upwards of one hundred members were present, it was very seldom that a candidate came so near to an unanimous election.

"The toil of intense study, and the exertions of a mind ever active and devoted to the service of learning, humanity, and the public weal, made their silent depredations on the health and spirits of Dr. Jebb; but his mind suffered much more from the interruptions which occurred in his friendship and intercourse with an individual. His sensibility, under what he justly conceived to be undeserved hard treatment, though it never destroyed the charity of his mind, frequently robbed it of its peace.

In great affairs, no man possessed more confidence in the providence of God, but the disaffection of a friend wounded him deeply. The recol-

recollection of his conflicts under these circumstances, in one particular case, is grievous, but the recital of them would be tedious, possibly uninteresting, and, perhaps, incredible.

"It must suffice to say, that his little bark was obliged to slip anchor, while its master, thoroughly sensible of preceding obligations during his stay in port, was diffident of his own ability to guide the helm. And, having been led to expect both a pilot and a convoy, was less prepared to contend with the winds and the waves which he must necessarily expect in the open sea. This distress led him at once to commit the success of his voyage to the blessing of God alone; while certain partial attachments fixed his eye on the coast, as it retreated from him. The motto which he assumed for his carriage, under these circumstances, was significant and well chosen, "*favente Deo et amicis.*"

"To this, however, it may be presumed he gave a more significant translation, than would have occurred to an indifferent spectator.

"A great part of three months, in the year 1779, was employed in attending on several of sir Richard Jebb's patients, during his absence from town, on account of his health; this, added to his own practice, and attendance on the lectures of Dr. Hunter, Dr. Keir, and of Da Costa, and at the hospitals, fully employed his time.

"Dr. Hinckley, a worthy and respectable character, and physician to Guy's hospital, dying the first of November this year, it was proposed by one of the faculty, who is universally esteemed an ornament to it, that Dr. Jebb should offer himself as successor.

"He accordingly applied for the

appointment, and was well supported, but declined the prosecution of it.

"The warm affection which Dr. Jebb had for the civil liberties of mankind, and the share he was disposed to take in their support, first appeared before the public eye, in "An Address to the Freeholders of Middlesex," assembled at Freemason's tavern in Great Queen-street, on Monday, December the 20th, 1779, for the purpose of establishing meetings to maintain and support the freedom of election. Upon this occasion, he communicated to James Townsend, esq. chairman of that meeting, the above address, under the signature of "*Salus publica,*" presuming, that if the sentiments, "appeared to be founded in reason, they would not be the less regarded, on account of their being suggested by an unknown individual."

"This address was immediately printed, and very soon passed through three editions, each being enlarged, by the addition of fresh matter; and in 1782, followed "the fourth edition corrected," which also bore our author's name in the title page.

"On the 2d of February 1780, a very large and respectable meeting of the electors and inhabitants of the city and liberty of Westminster, was held in Westminster-hall, for the purpose of petitioning parliament, for the correcting of the gross abuses in the expenditure of public money; for the reduction of all exorbitant emoluments; for the rescinding and abolishing all sinecure places and unmerited pensions; and for the appropriation of the produce to the necessities of the state. The petition being unanimously voted, and Mr. Fox appointed to present the same to the house
of

of commons, that gentleman declared the strongest reprobation of the principles and conduct of the administration of that time, with all his usual force of argument and eloquence.

"About the latter end of the same month, Dr. Jebb was appointed by the committee of the county of Huntingdon, one of their deputies, to attend a meeting in London of representatives from certain other petitioning counties, in order to concert measures for the more effectual reform of the present constitution of the house of commons.

"Several gentlemen, friends of the liberties of their country, and confident in the excellence and congeniality of the constitution of England with the manly spirit of its inhabitants; conceiving that their equal and legal rights needed but to be known, to be supported; formed an institution in London for the very desirable purpose of circulating a better knowledge of our rights. In the month of April, this design took place, by the establishment of "the society for constitutional information." Dr. Jebb was one of the most zealous promoters of this institution at its commencement, and was a constant attendant at their meetings, and an occasional contributor to their publications. The society have already published several valuable papers, and done great and extensive good. The compass of their design, and their inducement to the undertaking are well expressed by themselves: "the design of this society," say they, "is to diffuse throughout the kingdom, as universally as possible, a knowledge of the great principles of constitutional freedom, particularly such as respect the election and duration of

the representative body. With this view, constitutional tracts, intended for the extension of this knowledge, and to communicate it to persons of all ranks, are printed and distributed gratis, at the expence of the society. Essays, and extracts from various authors, calculated to promote the same design, are also published under the direction of the society, in several of the news-papers: and it is the wish of the society to extend this knowledge throughout every part of the united kingdoms, and to convince men of all ranks, that it is their interest, as well as their duty, to support a free constitution, and to maintain and assert those common rights, which are essential to the dignity and to the happiness of human nature.

"Dr. Petit, one of the physicians of St. Bartholomew's hospital, dying the 26th of May, Dr. Jebb offered himself a candidate to succeed to that appointment. The election came on the 23d of June; when Dr. Budd, his antagonist, succeeded by a great majority.

"Dr. Jebb's failure in his election into St. Bartholomew's hospital, may be considered as a public loss, as he had formed two designs, friendly to the improvement and extension of medical knowledge; and these were dependent on his success. The first was, to have the case of every patient particularly stated; and every symptom and application in the progress of the disease minutely taken down by the student. So that the history of one case being applied to another, the similarity might be ascertained by a minute registration of all the symptoms; and a certainty introduced in regard to the knowledge of the disease and its remedy, hitherto unknown in medicine. The other

other was, to give a course of liberal and familiar lectures in medicine, which might be completed by the pupil's attendance in town for six weeks or two months; and these he more particularly designed for young gentlemen and clergymen, previous to their retreat into situations in the country, where valuable professional assistance is very sparingly scattered.

"The opposition which was made to his election at St. Bartholomew's, followed him in the winter, when he offered himself at St. Thomas's hospital in the Borough. Indeed he relinquished his pretensions there sooner than in the former place, but for no other reason than because he found that all his political principles were likely to be again objected to him, and to hazard his successes.

On the 20th of March, 1782, lord North resigned his place in his majesty's councils. Dr. Jebb wrote to Mr. Fox a congratulatory letter upon the occasion, and, in a few days, a new administration was formed, wherein the late lord Rockingham was appointed first lord of the treasury, and lord Shelburne and Mr. Fox the two principal secretaries of state.

"Dr. Jebb cordially concurred in the address which was presented to the king on this occasion from the inhabitants of Westminster; but declined to go up with it, that, "he might be esteemed free in the great point of reform."

"In the midst of the several changes which took place at this time in the administration of government, no consideration was taken by the new ministers to avail themselves of the abilities of Dr. Jebb; this is mentioned as a fact, and with a view to contradict a contrary report. And it is equally

certain, that he had determined never to accept of any place. From a very respectable quarter it was suggested to Dr. Jebb, that his services would be very acceptable in the corporation of London, and that an alderman's gown only waited his acceptance. But the duties of magistracy in the metropolis were incompatible with his medical attentions; and, therefore, he did not hesitate to decline an office, which he could not discharge. And yet, singular as it may seem to suppose our author enrobed in aldermanic fur, few men were better calculated than he was, for the impartial administration of justice, or the internal regulation of the police of London, consistent with every security of liberty and morals.

"In respect to the pursuit of scriptural knowledge in which he was singularly happy and able, he was convinced of his duty to attend to it, as appears from a former extract from his private book, and was again reminded of it by the mention made of his rare talents in this branch of learning, by Mr. Lindsey.

"It was with a view to the furtherance of this object, that he was one among the few persons who first set on foot "The society for promoting the knowledge of the Scriptures," which was instituted on the 29th of September, 1783, and whose meetings continue to be held at Essex-house. The "Sketch of their plan" was chiefly written by Dr. Jebb; and though his following ill health and many avocations prevented him from furnishing any subsequent papers, much praise is due to him for marking out the only sure and legitimate way of ascertaining the true sense of the sacred book, although it may only

only belong to men like himself successfully to walk in the path that he hath pointed out to them.

"In the spring of the year 1784, Dr. Jebb was again confined to his house several weeks, by an inflammatory complaint, which formed an abscess in his groin. In the summer he went to Buxton, but returned without any sensible benefit.

"In the autumn this year, Dr. Jebb went to Cheltenham, but returned from thence with as little advantage to his health as he had the preceding year visited Buxton. While at Cheltenham, and, for several weeks afterwards, during his confinement at home he studied the Saxon language, the Anglo-Saxon laws, English history and antiquities, with a view to examine into our criminal code, and particular points of liberty. The vigour of his mind was still equal to the furnishing himself with this fresh store of knowledge; he foresaw the advantage of such an acquisition in the investigation of the legal rights of Englishmen, and had designed to have employed it in the support of some great constitutional questions, which he considered as essential to the freedom of his country.

"But, as the year began to dawn, it was very observable to many of his friends that, according to every appearance, and without some very great and singular effort of nature, his increased debility, would defeat every exertion of the most judicious medical assistance, and terminate the remaining sparks of human life.

"In this enfeebled state, his mind was active. His "Thoughts on Prisons," were printed, and circulated in the county of Suffolk in 1785, by his much valued friend

Mr. Lofft; and there is sufficient reason for concluding that this little tract had effect on the deliberations of the justices at Ipswich, and Bury, then engaged in erecting a new gaol for the division of Ipswich, and a new house of correction for that of Bury. In the former, the exterior wall was reduced in height to fifteen feet above the surface; at Bury the outer wall was rejected.

"The good effects of this very excellent tract it was apprehended would be extended by a more general publication. In this hope Dr. Jebb revised and corrected it with his dying hand: and his surviving friend published it soon after his death, adding thereto "an abstract of felonies created by statute and other articles relative to the penal law.

"Dr. Jebb was able to prescribe without any loss of judgment, during his own last illness, to such indispositions of his friends as would admit of their attendance at his own house. Even when the month of January was considerably advanced, one who is very near and dear to myself, benefitted most essentially by his medical directions; and, enfeebled as he was, he prescribed, not merely with the skill of the physician, but with all the ardour and affection of the friend. The scene made a deep impression upon me, and I do not wish that time should obliterate it.

"In February he moved to Eggham for a fortnight or three weeks, but without any other apparent prospect than a speedy dissolution. And yet, in this late period, his mind was sensibly delighted with the openings of nature, and he expressed himself to that effect in a letter to his intimate and much valued friend, Mr. Brand Hollis;

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"The fight of nature," says he, "in her first exertions, is itself enough to make a man better. I think I feel its force."

"He survived his return to his house in Parliament-street about a week, and on the evening of Thursday, March the 2d, 1786, about eight o'clock, he breathed his last, having only a few weeks before entered on the 51st year of his age.

"His remains were buried in Bunhill-fields burying-ground, on Thursday, March the 9th, attended by many of his friends to the place of interment. The scene was awful; as there seemed not an heart insensible of the loss sustained in the death of so excellent a man.

"To draw out his character at length, would be again to recite his life and labours, or to obtrude the partial judgment of a friend, when the reader is made fully competent to form his own. The reputation of Dr. Jebb rests on the most solid and lasting basis, while it is left to rest upon his own unfilled, amiable, and useful life.

"Examine his conduct, and the nearer you view it, the more distinctly will you observe his never

ceasing pursuit of knowledge and truth; and his never once departing from his own well-formed principles and convictions. And in all his differences with others, you cannot fail to mark his candour in speaking of the persons and motives of his adversaries, however severely he reprobated their opinions and conduct.

"In every point of view, he appears to advantage, and is deserving of much praise. In his own acquirements he united the various merits which have been ascribed to men of the most distinguished eminence. As a divine, he truly deserved the character which was given by Erasmus of William Latimer, "vere theologus, integritate vitæ conspicuus." As a physician, we may, with great truth, apply to him, what Casaubon said of Galen, "criticorum, non minus quam medicorum principem." As a patriot, we may mark him in the character of Sydney, "sanctus amor patriæ dat animum."

"In fine, "fuit ille vir, patres conscripti, sicut scitis, cum foris elarus, tum domi admirandus; neque rebus externis magis laudandus, quam institutis domesticis."

PORTRAIT OF MR. HANWAY.

[From PUGH'S Remarkable Occurrences in his Life.]

"MR. Hanway in his person was of the middle size, of a thin spare habit, but well shaped; his limbs were fashioned with the nicest symmetry. In the latter years of his life he stooped very much, and when he walked, found it conduce to ease to let his head incline towards one side. When he went

first to Russia at the age of thirty, his face was full and comely, and his person altogether such as obtained for him the appellation of the "*Handsome Englishman*." But the shock which his health received in Persia, made him much thinner; and though he recovered his health, so as to live in England twenty

successive years without any material illness, he never recovered his plumpness.

“ His features were small, but without the insignificance which commonly attends small features. His countenance was interesting, sensible, and calculated to inspire reverence. His blue eyes had never been brilliant; but they expressed the utmost humanity and benevolence; and when he spoke, the animation of his countenance and the tone of his voice were such as seemed to carry conviction with them even to the mind of a stranger. When he endeavoured to soothe distress, or point out to any wretch who had strayed, the comforts of a virtuous life, he was peculiarly impressive; and every thing that he said had an air of consideration and sincerity.

“ In his dress, as far as was consistent with his ideas of health and ease, he accommodated himself to the prevailing fashion. As it was frequently necessary for him to appear in polite circles, on unexpected occasions, he usually wore dress clothes, with a large French bag: his hat, ornamented with a gold button, was of a size and fashion to be worn as well under the arm as on the head. When it rained, a small *parapluie* defended his face and wig. Thus he was always prepared to enter into any company, without impropriety, or the appearance of negligence. His dress for set public occasions was a suit of rich dark brown; the coat and waistcoat lined throughout with ermine, which just appeared at the edges; and a small gold hilted sword. As he was extremely susceptible of cold, he wore flannel under the linings of all his clothes, and usually three pair of stockings.

He was the first man who ventured to walk the streets of London with an umbrella over his head: after carrying one near thirty years, he saw them come into general use.

“ The precarious state of his health when he arrived in England from Russia, made it necessary for him to use the utmost caution; and his perseverance in following the advice of the medical practitioners was remarkable. After Dr. Lieberkyn, physician to the king of Prussia, had recommended milk as a proper diet to restore his strength, he made it the chief part of his food for thirty years; and though it at first disagreed with him, he persisted in trying it under every preparation that it was capable of, till it agreed with his stomach. He knew that exercise was necessary to him, and he loved it. He was not one of those who had rather take a dose than a walk; and though he had commonly his carriage with him when he went abroad, he yet walked nearly as much as he rode, and with such a pace, that he used to say he was always more incommoded in the streets by those he passed, than by them who overtook him. By this rigid attention and care his health was established, his lungs acquired strength and elasticity; and it is probable he would have lived several years longer, if the disorder, which was the immediate cause of his death, had left him to the gradual decay of nature.

“ His mind was the most active that it is possible to conceive; always on the wing, and never appearing to be weary. To sit still, and endeavour to give rest to the thought, was a luxury to which he was a perfect stranger: he dreaded nothing so much as inactivity, and that modern disorder which the French,

French, who feel it not so much as ourselves, distinguish by the name of *ennui*.

"He rose in the summer at four or five, and in the winter at seven; and having always business before him, he was every day employed till the time of retiring to rest; and when in health, I am told, was commonly asleep within two minutes after his lying down in bed.

"Writing was his favourite employment, or rather amusement; and when the number of his literary works is considered, and that they were the produce only of those hours, which he was able to snatch from public business, an idea may be formed of his application. He wrote a fine flowing hand to the last, when he pleased, without spectacles. And he had always one or two of the clerks belonging to his office, or to some of the charitable institutions in which he was engaged, to live in his house and assist him. When Doctor Goldsmith, to relieve himself from the labour of writing, engaged an amanuensis, he found himself incapable of dictation; and after eying each other some time, unable to proceed, the Doctor put a guinea in his hand, and sent him away: but it was not so with Mr. Hanway; he could compose faster than any person could write. His mode was to dictate for as many hours together as he could spare, and afterwards correct the copy, which was again wrote out and corrected, perhaps several times.

"To write a fine hand very fast is a qualification which many persons, not defective in abilities, do not attain; but to write very well, and with strict orthography from the verbal dictation of another person, without hesitation, will be found difficult by every person who

tries it. Yet all this Mr. Hanway required, and with it the utmost dispatch. This made it necessary for him to choose his assistants, at an early age, while the mind is flexible, and to have them live in his house, and take pains to instruct them. He had a very happy method of conveying instruction; but the close application which he required at all hours, his impatience, and the natural turn of his temper, seldom satisfied, not infrequently petulant, and always expressing his disapprobation in terms which had the appearance of ill-nature, were the cause that but few of the youths he took under his care remained with him any length of time. If by attention, activity, and perseverance, and a judicious self-commendation, not too frequently assumed, they could go on till they gained his confidence, he seldom failed to make them alert, ready at figures and writing, and honest men. One of the two pamphlets on bread, which contains ninety octavo pages, two hundred law sheets, I wrote from his dictation, in one forenoon, although there are several calculations in it of the proportionate produce of grain, when ground, dressed, and baked.

"By leaving his work to transact his ordinary business, and afterwards recurring to it with new ideas, all his literary labours are defective in the arrangement of the matter, and appear to have too much of the miscellaneous in their composition. The original idea is sometimes left for the pursuit of one newly started, and either taken up again, when the mind of the reader has almost lost it, or it is totally deferred. Yet those who are judges of literary composition, say that his language is well calculated to have the effect he desired

on the reader, and impress him with the idea that the author was a man of inflexible integrity, and wrote from the pure dictates of the heart. It is plain and unornamented, without the appearance of art, or the affectation of singularity. Its greatest defect (say they) is a want of conciseness; its greatest beauty an unaffected and genuine simplicity. He spoke French and Portuguese, and understood the Rus and modern Persic imperfectly: Latin he had been taught at school; but had not much occasion to cultivate it after he entered into life.

"In his natural disposition he was cheerful but serene. He enjoyed his own joke, and applauded the wit of another; but never descended from a certain dignity which he thought indispensably necessary. His experience furnished him with some anecdote or adventure, suitable to every turn the discourse could take; and he was always willing to communicate it. If in the hour of conviviality the discourse took a turn, not consistent with the most rigid chastity, he was not forward to reprove or take offence; but any attack on religion, especially in the company of young people, was sure to meet his most pointed disapprobation. In conversation he was easy of access, and gave readily to every one the best answer which occurred: but not fond of much speaking himself, he did not always bear with patience, though commonly with silence, the forward and importunate; them with whom every man, and every thing is either the very best or the very worst possible; who exemplify, for the instruction of their auditors, those common ideas which it is not possible could escape them; and think loudness,

1787.

and the gesticulation of unnecessary warmth, can supply the place of argument and politeness. If the mirth degenerated into boisterous laughter, he took his leave: "My companions," he would say, "were too merry to be happy, or to let me be happy, so I left them." He spoke better in public than was to be expected of one who wrote so much, and pointed to his subject; though he was sometimes seduced into an eulogium on the usefulness of the *merchant*, a character for which he entertained great reverence.

"Although he himself never drank wine undiluted with water, he partook willingly of the joys of the table, and that felicity of conversation, which a moderate application to the bottle excites among men of parts; but he knew how the love of company insatuates young people, and the danger to which it exposes them. The writer of these sheets is indebted to him beyond the power of expression, particularly for his advice, which he had the method of administering without giving disgust; and he never received so serious a caution as when at a public meeting, at the desire of sir Joseph Andrews, he sung a song better than Mr. Hanway expected.

"In his transactions with the world, he was always open, candid and sincere: Whatever he said might be depended on with implicit confidence. He adhered to the strict truth, even in the *manner* of his relation, and no brilliancy of thought could induce him to vary from the fact; but although so frank in his own proceedings, he had seen too much of life to be easily deceived by others; and he did not often place a confidence that was betrayed. He did not,

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however, think the world so degenerate as is commonly imagined :
 • “ And if I did,” he used to say, “ I would not let it appear ; for nothing can tend so effectually to make a man wicked, or to keep him so, as a marked suspicion. Confidence is the reward of truth and fidelity, and these should never be exerted in vain.”

“ His religion was pure, rational, fervent, and sincere ; equally distant from a cold inanimate languor, and the phantasies of supernatural intelligence : it was his resource constantly in trouble, as was writing at the moment of imagination. He believed the truths revealed in the gospel, with the most unvaried confidence ; but shewed no austerity to persons who set the dictates of nature and experience in opposition to them, if they appeared to doubt with a willingness to be convinced. He considered religion as the most effectual restraint on bad actions ; and although he rejoiced at the light which has been thrown by Mr. Voltaire, and other modern writers, on the superstition of former ages ; he preferred even that, with its attendant cruelty and selfishness, to a comfortless scepticism, and sometimes proceeded so far as to express his fears that the generality might one day become too enlightened to be happy.

“ He knew well how much the happiness of mankind is dependant on honest industry, and received a pleasure, but faintly described in words, when any of the objects of his charity cleanly appalled, and with cheerful and contented countenances, came to pay their respects to him. He treated them as his acquaintances, entered into their concerns with a paternal affection, and let them know that on any real emergency they might

apply with confidence to him. It was this, rather than the largeness of his gifts, that endeared him so much to the common people : he never walked out but was followed by the good wishes, silent or expressed, of some to whom he had offered relief. To meet the eye of him whom he had obliged, was to him the highest luxury ; and no man enjoyed it oftener.

“ Of his charity, it is not easy to convey an adequate idea : it was of that prudent and considerate kind, which is of the most substantial benefit. It did not consist merely in *giving* ; and though his heart was ever open to the complaint of the unfortunate, it required something more than mere supplication to obtain his assistance. He was particularly careful to discountenance the fashionable genteel way of begging by letter, in which talents capable of procuring support are held out as excuses for distress. To him that had once deceived him by fictitious distress he was inexorable ; but when real misery, the effect of accident or inevitable misfortune, came in his way, he never failed to afford substantial relief, which he was always enabled to do ; for he had the distribution every year of more than his own whole income amounted to. It is not the love of money, so much as the love of ease, which keeps close the coffers of the wealthy.

“ When once Mr. Hanway had engaged in a public charitable undertaking, he omitted nothing that could possibly tend to its promotion ; no department was beneath him ; his eye pervaded the whole system, and, like that of Providence, never slept whilst any thing remained to be done to further his benevolent designs. He thought every

every thing great which concerned the cause of humanity. The love of his fellow creatures shewed itself in every action of his life. Blessed with an elegant sufficiency, he separated what was within his idea of enough, and looked upon the rest as appropriated, as a reserve to satisfy demands whenever they should be properly made. Distress, not incurred by profligacy, was to his heart a claim of relationship; and he seemed to esteem himself, what he most emphatically was, one of the chief instruments of Providence, to assist the indigent, instruct the ignorant, to reclaim the guilty, and keep the good from being discontented with their station in life.

“Indeed nothing can more clear-

ly evince the esteem which men entertained for his character, than the sorrow they expressed at his death. A long train of friends followed his bier, and assisted in paying the last mournful duties to the remains of a man they so tenderly loved whilst living. Dr. Glaspey, one of his executors, read a part of the burial service over the corpse, as great a part as his grief would permit him; and Dr. Markham, with whom he had lived in friendship for a long series of years, in a very pathetic discourse recalled to the minds of their mutual friends assembled on this solemn occasion in the church at Hendon, the virtues of the benevolent man they had lost.

LIFE OF SHAIK DAHER.

[Extracted from the Second Volume of VOLNEY's Travels through Syria and Egypt.]

SHAIK Daher, who in our time, has given so much trouble to the Porte, was an Arabian by birth, descended from one of those tribes of Bedouins who usually encamp on the banks of the Jordan, and the environs of Lake Tabaria, (the ancient Tiberias). His enemies are fond of reminding us that in his youth he was a camel driver; but this circumstance, which does honour to his abilities, by suggesting the difficulties he must have encountered in his rise, has besides in this country nothing incompatible with a distinguished birth; it is now, and always will be, usual with the Arab princes, to employ themselves in occupations which

appear to us mean. Thus I have already observed that the Shaiks themselves guide their camels, and look after their horses, while their wives and daughters grind the corn, bake the bread, wash the linen, and fetch water, as in the times of Abraham, and Homer; and this simple and laborious life, possibly, contributes more to happiness than that listless inactivity, and satiating luxury which surround the great in polished nations. As for Daher, it is certain that he was of one of the most powerful families of the country. After the death of his father Omar, about the beginning of the present century, he divided the government with his uncle and two

brothers. His domain was Safad, a small town and strong hold in the mountains, to the north-west of the lake of Tabaria, to which he shortly after added Tabaria itself. There Pocock found him in 1737, occupied in fortifying himself against the Pacha of Damascus, who, not long before, had strangled one of his brothers. In 1742, another pacha, named Soliman-el-adm, besieged him there, and bombarded the place, to the great astonishment of all Syria, where bombs are but little known, even at present. In spite of his courage, Daher was reduced to the last extremity; when a fortunate, and, it is alledged, pre-meditated incident, relieved him from his embarrassment. A violent and sudden cholic carried off Soliman in two days. Asad-el-adm, his brother and successor, wanted either the same motives, or the same inclinations, to continue the war, and Daher was unmolested, on the part of the Ottomans. But his activity, and the intrigues of his neighbours, soon gave him other employment. Reasons of interest embroiled him with his uncle and brother, recourse was had to arms more than once, and Daher, always victorious, thought it best to conclude these disputes by the death of his competitors.

Invested then with the whole power of his family, and absolute master of its force, new prospects opened to his ambition. The commerce in which he engaged, according to the custom of all the Asiatic princes and governors, made him sensible of the advantage of immediate communication with the sea. He conceived that a port in his hands would become a public market, to which strangers resorting, a competition would arise favourable to the sale of his commodities. Acre, situ-

ated in his neighbourhood, and under his eye, was suited to his designs, since for several years he had transacted business there with the French factors. This town was in reality but a heap of ruins, a miserable open village, without defence. The Pacha of Saïde maintained there an Aga, and a few soldiers who dared not shew themselves in the field; while the Bedouins really governed, and were masters of all the country, up to its very gates. The plain, so fertile in former times, was nothing but an extensive waste, on which the waters stagnated, and infected the environs by their vapours. The ancient harbour was choked up, but the road of Haifa, which is dependant on it, was so advantageously situated, that Daher determined to gain possession of it. A pretext was necessary, which was soon furnished by the conduct of the aga.

"One day, while some warlike stores, intended to be employed against the shaik, were landing, Daher marched briskly towards Acre, sent a menacing letter to the Aga, which made him take to flight, and entered the town, where he established himself without resistance: this happened about the year 1749. He was then sixty three-years old. This age seems rather too advanced for such enterprizes; but when we recollect, that in 1776, at near ninety, he still boldly mounted a fiery steed, it is evident he was much younger than that age usually implies. So bold a measure could not pass unnoticed; this he foresaw, and therefore instantly dispatched a letter to the Pacha of Saïde, representing to him that the affair was entirely personal between him and the Aga, and protesting that he was not less the very submissive subject of the Sultan, and the

the Pacha; that he would pay the tribute of the district he now occupied, as had been done heretofore by the Aga; and would undertake besides to restrain the Arabs, and do every thing in his power to restore this ruined country. This application, backed by a few thousand sequins, produced its effect in the divans of Saide, and Constantinople: his reasons were acknowledged just, and all his demands granted.

"Not that the porte was the dupe of the protestations of Daher; it is too much accustomed to such proceedings to mistake them; but it is a maxim with the Turks, not to keep their vassals in too strict an obedience; they have long been convinced, that were they to make war with all rebels, it would be an endless labour, and occasion a vast consumption of men and money; without reckoning the risk of frequent defeats, and the consequent encouragement to revolt. Their plan therefore, is to be patient; temporize; and excite the neighbours, relations, and children of the revolters against them; and, sooner, or later, the rebels, who uniformly follow the same steps, suffer the same fate, and end by enriching the sultan with their spoils.

"Daher, on his part, well knew the real value of this apparent friendship. Acre, which he intended for his residence, was destitute of defence, and might easily be surprized, either by sea or land; he determined therefore to fortify it. In the year 1750, under pretext of building himself a house, he erected, on the northern angle towards the sea, a palace, which he provided with cannon. He then built several towers for the defence of the fort, and enclosed the town by a wall, in which he left only

two gates. These by the Turks were imagined very formidable works, though they would be laughed at in Europe. The palace of Daher, with its lofty and slight walls, its narrow ditch, and antique turrets, is incapable of the smallest resistance: four field pieces would demolish, in two discharges, both the walls and the wretched cannon mounted on them, at the height of fifty feet. The wall of the town was still more feeble; it has neither fosse, nor rampart, and is not three feet thick. Through all this part of Asia, bastions, lines of defence, covered ways, ramparts, and, in short, every thing relative to modern fortification, are utterly unknown. A single thirty gun frigate would, without difficulty, bombard and lay in ruins the whole coast: but, as this ignorance is common to both the assailants and defendants, the balance remains equal.

After these precautions, Daher occupied himself in effecting such a reformation in the country as should augment his power. The Arabs of Saker, Muziana, and other neighbouring tribes, had caused a desertion of the peasants, by their inroads and devastations: he undertook to repel them; and by alternately employing prayers and menaces, presents and arms, he restored security to the husbandman, who might now sow his corn, without fear of seeing the harvest destroyed, or carried off by robbers; the excellence of the soil attracted cultivators, but the certainty of security, that blessing so precious to those who have lived in a state of continual alarm, was a still stronger inducement. The fame of Daher spread through Syria, and Mahometan and Christian farmers, every where despoiled and harassed, took

refuge, in great numbers, with a prince under whom they were sure to find both civil and religious toleration. A colony of Greeks emigrated from Cyprus, now nearly desolated, by the oppressions of the governor, the insurrections they produced, and the cruelty with which Kior Pacha expiated such offences. To these, Daher assigned a spot of ground, under the walls of Acre, which they laid out into gardens. The Europeans, who found a ready sale for their merchandize, formed numerous settlements; the lands were cleared, the waters drained, the air became purer, and the country at once salubrious and pleasant.

"To strengthen himself still more, Daher renewed his alliances with the great tribes of the desert, among whom he had disposed of his children in marriage. This policy had several advantages; for, in them, he secured an inviolable asylum, in case of accidents; by this means, also, he kept in check the pacha of Damascus, and procured excellent horses, of which he was always passionately fond. He courted, therefore, the Shaiks of Anaza, of Sardia and Saker. Then, for the first time, were seen in Acre, those little dry and parched men, unusual even to the Syrians. He furnished them with arms and cloathing: and the desert, also, for the first time, beheld men in close dresses, and armed with muskets and pistols, instead of bows and match-lock guns.

"For some years, the pachas of Saide and Damascus had been incommoded by the Motoualis, who pillaged their lands, and refused their tribute. Daher, sensible of the advantage to be made of these allies, first interposed as mediator, and, afterwards, in order to ac-

commodate the parties, offered to become security for the Motoualis, and pay their tribute. The pachas accepted this proposal, which rendered their revenues certain, and Daher was content with the bargain he had made, since he had secured the friendship of a people who could bring ten thousand horse into the field.

"The Shaik, however, did not peaceably enjoy the fruit of his labours; since he still had to fear the attacks of a jealous superior, and his power was shaken at home, by domestic enemies, almost as dangerous. Agreeable to the wretched policy of the East, he had bestowed separate governments on his sons, and placed them at a distance from him, in countries which were sufficient for their maintenance. From this arrangement it followed, that these Shaiks seeing themselves the children of a great prince, wished to support a suitable state, so that their revenues soon fell short of their expences. Their subjects were oppressed by them and their agents, and complaints were made to Daher, who reprimanded them; and court flatterers irritating both parties, a quarrel was the consequence, and war broke out between the father and his children. The brothers, too, frequently quarrelled with each other, which was another cause of war. Besides, the Shaik was growing old, and his sons, who considered him as having arrived at the usual limits of human life, longed to anticipate the succession. He must necessarily leave a principal heir to his titles and power; each thought himself entitled to the preference, and this competition furnished a fresh subject of jealousy and dissention. From motives of narrow and contemptible policy, Daher fomented the discord; this might

might indeed produce the effect of keeping his soldiery in exercise, and inuring them to war; but, besides that it was productive of numberless disorders, it had the farther inconvenience of causing a dissipation of treasure, which obliged him to have recourse to ruinous expedients: the custom-house duties were augmented, and commerce, oppressed, lost its activity. These civil wars, besides, were destructive to agriculture, which cannot be injured, without the consequences being always sensibly felt, in a state so limited as the small territories of Daher.

“Nor did the divan of Constantinople behold, without chagrin, the increasing power of Daher; and his ambitious views, which were now become apparent, increased its jealousy. Its jealousy was still more increased by a request he presented. Till that time, he had only held his domains under the title of a renter, and by annual lease. His vanity was wearied of this restriction; and, as he possessed all the essentials of power, he aspired to its titles: nay, perhaps, he thought them necessary, more effectually to establish his authority over his children, and his subjects. About the year 1768, he therefore solicited a permanent investiture of his government, for himself and his successor, and demanded to be proclaimed, *Shaik of Acre, Prince of Princes, Governor of Nazareth, Tarbaria, and Safad, and Shaik of all Galilee*. The Porte conceded every thing to fear and money; but this proof of vanity, awakened more and more her jealousy and displeasure.

“There were, besides, too many causes of complaint, which, though palliated by Daher, could not but increase his distrust, and rouse a

desire of vengeance. Such was the adventure of the celebrated pillage of the caravan of Mecca, 1757. Sixty thousand pilgrims plundered, and dispersed over the desert, a great number destroyed by sword or famine, women reduced to slavery, the loss of immense riches, and, above all, the sacrilegious violation of so solemn an act of religion, produced a commotion in the empire, which is not forgotten. The plundering Arabs were the allies of Daher, who received them at Acre, and there permitted them to sell their booty. The Porte loaded him with the bitterest reproaches, but he endeavoured to exculpate himself, and to appease the divan, by sending the white banner of the prophet to Constantinople.

“Such also was the affair of the Maltese corsairs. For some years they had infested the coasts of Syria, and, under the false pretext of a neutral flag, were received into the road of Acre: where they unloaded their spoils, and sold the prizes they had taken from the Turks. No sooner were these abuses divulged, than the Mahometans exclaimed against the sacrilege, and the Porte thundered vengeance. Daher pleaded ignorance of the fact, and, to prove he no way favoured a commerce so disgraceful to the state and to religion, armed two galliots, and sent them to sea, with ostensible orders to drive off the Maltese. But the fact is, that these galliots committed no hostilities against the Maltese, but served, on the contrary, to correspond with them at sea, remote from all witnesses. Daher did more; he pretended the road of Haifa was unprotected; that the enemy might take shelter there in spite of him, and required the Porte to build a fortress there,

and provide it with cannon, at the expence of the Sultan: his demand was complied with, and Daher, shortly after, procured the fort to be adjudged useless, demolished it, and transported the brass cannon from thence to Acre.

"These things kept alive the discontent and alarms of the divan, and though these were diminished by the great age of Daher; the turbulent spirit of his sons, and the military talents of Ali, the eldest of them, still gave the Porte much uneasiness: she dreaded to see an independent power perpetuate itself, and even become formidable. But, steady to her ordinary system, refrained from open hostilities, and proceeded by secret means; she sent Capidjis, excited domestic quarrels, and opposed agents, capable at least of preventing, for a time, the consequences she feared.

"The most persevering of these was that Osman, Pacha of Damascus, whom we have seen act a leading part in the war of Ali Bey. He had merited the favour of the Porte, by discovering the treasures of Solomon Pacha, whose mamoulouk he was. The personal hatred he bore to Daher, and the known activity of his character, were still greater recommendations. He was considered as a proper counterpoise to Daher, and was accordingly named Pacha of Damascus in 1760. To give him still additional weight, his two sons were appointed to the pachalics of Tripoli and Saide; and, to complete his power, in 1765, Jerusalem and all Palestine were added to his apanage.

"Osman perfectly seconded the views of the Porte: as soon as he had taken possession of his government, he greatly annoyed Daher. He augmented the tribute of the lands he held under the pachalic

of Damascus: the Shaik resisted, the Pacha menaced, and it was evident the quarrel would come to a speedy issue. Osman watched the opportunity to strike a blow which should bring the matter to decision: this at length presented itself, and war broke out.

"Every year the Pacha of Damascus makes what is called the circuit of his government, the object of which is to levy the miri or impost on the lands. On this occasion he always takes with him a body of troops, strong enough to support his authority. He thought to avail himself of this opportunity to surprise Daher; and, followed by a numerous body of troops, took his route, as usual, towards the country of Nablous. Daher was then besieging a castle defended by two of his sons: his danger was the greater, as he relied on a truce with the Pacha, and he owed his deliverance to his good fortune.

"One evening, at the moment he least expected it, a Tartar courier brought him some letters from Constantinople. Daher opened them, and, immediately suspending all hostilities, dispatched a horseman to his children, and desired them to prepare a supper for him and three of his attendants, for that he had affairs to communicate of the last importance to them all. The character of Daher was known; his sons obey him; he arrives at the appointed hour; they sup cheerfully together; and at the end of the repast, he produces his letters and reads them; they were from his spies at Constantinople, and to the following purport:—"That the Sultan had deceived him in the last pardon he had sent him; that he had at the same instant delivered a *kat-beriff* against his head and property; that every thing was

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concerted between the three Pachas, Osman and his sons, to surround and destroy him and his family ; and that the Pacha was marching in force towards Nablous to surprise him." The astonishment this intelligence excited, may easily be imagined ; a council was immediately held, in which the opinions were divided. The greatest number were for marching with all their forces against the Pacha ; but the eldest of Daher's sons, Ali, who had rendered himself illustrious in Syria, by his exploits, represented, that a large army could not march quick enough to surprise the Pacha ; that he would have time to provide for his defence, and the disgrace of violating the truce fall on them ; that nothing could be effected but by a *coup de main*, which he would take upon himself. He demanded five hundred horse ; his courage was known, and his demand acceded to. He set off immediately, marching all night, and concealing himself during the day ; and the following night was so expeditious, as to reach the enemy early in the morning of the second day. The Turks, according to custom, were asleep in their camp, without order and without centinels ; Ali and his cavalry fell upon them, sabre in hand, cutting to pieces every thing that came in their way. All was panic and tumult ; the very name of Ali spread terror throughout the camp, and the Turks fled in the utmost confusion. The Pacha had not even time to put on his pelisse : scarcely was he out of his tent, before Ali arrived, who made himself master of his coffer, his shawls, his pelisses, his poniard, his nerkeel, and, to compleat his success, the kat-sheriff of the Sultan. From this moment there was open war, which was carried on, according to

the custom of the country, by inroad and skirmishes, in which the Turks but rarely gained the advantage.

"The expences it occasioned soon drained the coffers of the Pacha ; and, to reimburse them, he had recourse to the grand expedient of the Turks. He levied contributions on the towns, villages, and individuals : whoever was suspected of having money, was summoned, bastinadoed, and plundered. These oppressions had occasioned a revolt at Ramla in Palestine the very first year he obtained the government, which he suppressed by still more odious cruelties. Two years after, in 1767, similar conduct occasioned a revolt at Gaza ; he renewed these proceedings at Yafa, in 1769, where among other acts of despotism, he violated the law of nations, in the person of the resident of Venice, John Damiàni, a respectable old man, whom he put to the torture, by five hundred strokes on the soles of his feet, and, who could only preserve the feeble remains of life, by collecting from his own fortune, and the purses of all his friends, a sum of near sixty thousand livres, (twenty-five hundred pounds), for the Pacha. This tyranny is common in Turkey ; but as it is not usually either so violent, or so general, such cruelties drove the oppressed to despair. The people began to murmur on every side, and Palestine, emboldened by the vicinity of Egypt, now in a state of rebellion, threatened to call in a foreign protector.

"Under these circumstances, Ali Bey, the conqueror of Mecca and the Said, turned his projects of aggrandizement toward Syria. The alliance of Daher, the war with the Russians, which entirely occupied the Turks, and the discontents of

the people, all conspired to favour his ambition. He accordingly published a manifesto in 1770, in which he declared, that God having bestowed a signal benediction on his arms, he thought himself bound, in duty, to make use of them for the relief of the people, and to repress the tyranny of Osman in Syria. He immediately dispatched a body of mamlouks to Gaza, who seized on Ramla and Loud. Their appearance divided the adjacent town of Yafa into two factions, one of which was desirous of submitting to the Egyptians; while the other was for calling in Osman, who flew thither immediately, and encamped near the town. Two days after, Daher was announced, who had likewise hastened thither for the same purpose. The inhabitants of Yafa, then imagining themselves secure, shut their gates against the Pacha; but, in the night, while he was preparing to escape, a party of his troops, passing along the sea-shore, entered, by an opening in the wall, and sacked the city. The next day Daher appeared, and, not finding the Turks, took possession of Yafa, Ramla, and Loud, without resistance, in which towns he placed garrisons.

“ Things thus prepared, Mohammed Bey arrived in Palestine, with the grand army, in the month of February 1771, and followed the Shaik along the sea-coast to Acre. There, having been joined by twelve or thirteen hundred Moutoualis, under the command of Nasif, and fifteen hundred Safadians, led by Ali, son of Daher, he marched in April towards Damascus. We have already seen in what manner this combined army beat the united forces of the Pachas, and how Mohammed, master of Damascus, and on the point of taking possession of

the castle, on a sudden changed his design, and again took the road to Cairo. On this occasion, Ibrahim Sabbar, minister of Daher, receiving no other explanation from Mohammed, than menaces, wrote to him, in the name of the Shaik, a letter filled with reproaches, which proved eventually the cause, or, at least the pretext of a fresh quarrel. Osman, however, on his return to Damascus, re-commenced his oppressions and hostilities; and imagining that Daher, chagrined by the unexpected news he had received, would not be prepared for defence, he formed the project of surprizing him even in Acre. But scarcely was he on his march, when Ali, Daher, and Nasif, informed of his intention, proposed to turn the tables on him: they, therefore secretly left Acre, and learning he was encamped on the western bank of lake Houla, arrived there at break of day, took possession of the bridge of Yakoub, which they found negligently guarded, and fell on him sabre in hand, in his camp, where they made a dreadful carnage. This, like the affair of Nablous, was a total defeat; the Turks, pressed on the land side, threw themselves into the lake, hoping to swim across it; but the terror and confusion of this multitude of men and horses, which mutually embarrassed each other, was such that the enemy made a prodigious slaughter, while still greater numbers perished in the water and mud of the lake. The Pacha was thought to be among the number of the latter, but he had the good fortune to escape, being saved by two negroes, who swam across with him on their shoulders.

“ The Porte, terrified at the defeats she had met with, both from the Russians, and her rebellious sub-

Subjects, now offered peace to Daher, on very advantageous conditions. To induce him to consent, she removed the Pachas of Damascus, Saide, and Tripoli; disavowed their conduct, and solicited a reconciliation with the Shaik. Daher, now eighty-five or eighty-six years old, was willing to accept this offer, that he might terminate his days in peace; but he was diverted from this intention by his minister, Ibrahim; who did not doubt, but Ali Bey would, the ensuing winter, proceed to the conquest of Syria, and that this mamlook would cede a considerable portion of that country to Daher, and in the future aggrandizement of his master's power, he hoped the advancement of his own private fortune, and the means of adding fresh treasures to those he had already amassed by his insatiable avarice. Seduced by this brilliant prospect, he rejected the propositions of the Porte, and prepared to carry on the war with redoubled activity.

"Such was the state of affairs, when, in the month of February, of the following year, Mohammed Bey reared the standard of rebellion against his patron Ali. Ibrahim, at first, flattered himself this revolt would have no serious consequences; but he was soon undeceived, by the news of Ali's expulsion, and his subsequent arrival at Acre, as a fugitive and suppliant. This stroke revived the courage of all the enemies of Daher, and the Turkish faction in Yafa availed themselves of it to regain their ascendancy. They appropriated to themselves, the effects left there by the little fleet of Rodan; and, aided by a Shaik of Nablous, began a revolt in the city, and opposed the passage of the Mamlooks.

Circumstances now became very critical, as the speedy arrival of a large army of Turks was announced, which was assembled near Aleppo; Daher, it may be, ought to have remained in the vicinity of Acre; but imagining his diligence would secure him from every attack, he marched towards Nablous, chastising the rebels as he passed, and joining Ali Bey, below Yafa, conducted him without opposition to Acre.

"Ali Bey and Daher, on their return to Acre, determined to take vengeance for the treachery of the people of Nablous and Yafa, and, in the beginning of July 1772, appeared before the latter city. They first proposed an accommodation, but the Turkish faction rejecting every proposition, they were compelled to have recourse to arms. This siege, properly speaking, was only a blockade, nor must we imagine the assailants made their approaches after the European method. They had no other artillery, on either side, than a few large cannon, badly mounted, ill situated, and still worse served. The attacks were carried on neither by trenches, nor mines; and, it must be owned, that such means were not necessary against a slight wall, without ditch or rampart. A breach was soon made, but the cavalry of Daher and Ali Bey shewed no great eagerness to pass it; the besieged having defended the inside with stones, stakes, and deep holes which they had dug. The whole attack was made with small arms, which killed very few, and eight months were wasted in this manner, in spite of the impatience of Ali Bey, who had alone the conduct of the siege. At length the besieged, exhausted with fatigue, and being in want of provisions, surrendered.

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by capitulation. In the month of February 1773, Ali Bey placed a governor in the town, for Daher, and hastened to join the Shaik at Acre, where he found him occupied in preparations to enable him to return to Egypt, to accelerate which event, Ali contributed all in his power.

"They waited only for a succour of six hundred men promised by the Russians, but the impatience of Ali Bey determined him to depart without them. Daher made use of every argument to detain him a few days longer. But finding nothing could alter his resolution, he sent fifteen hundred cavalry to accompany him, commanded by Otman, one of his sons. Not many days after, (in April 1773), the Russians arrived with the reinforcement, which, though less considerable than was expected, he greatly regretted he could not employ; but this regret was severely aggravated, when Daher saw his son and his cavalry return as fugitives, to announce to him their own disaster, and the fate of Ali Bey. He was the more affected at this event, as, instead of an useful ally, powerful in resources, he acquired an enemy formidable from his hatred and activity. This at his age, was a most afflictive prospect, and it is highly to his honour, that he bore it with proper fortitude.

"The Porte expecting great success in the intrigues she was then carrying on in Egypt, still entertained hopes of overcoming all her enemies; she again placed Osman at Damascus, and gave him an unlimited power over all Syria. The first use he made of this, was to assemble under his orders six Pachas, whom he led through the vale of Bekaa, to the village of Zahla, with intention to penetrate

into the mountainous country. The strength of this army, and the rapidity of its march, spread consternation on every side, and the Emir-Yousef, always timid and irresolute, already repented his alliance with Daher; but this aged man, solicitous for the safety of his allies, took care to provide for their defence. The Turks had hardly been encamped six days, at the foot of the mountains, before they learnt that Ali, the son of Daher, was approaching to give them battle. Nothing more was necessary to intimidate them. In vain were they told the enemy had but five hundred horse, while they were upwards of five thousand strong: the name of Ali Daher so terrified them, that this whole army fled in one night, and left their camp, full of spoils and baggage, to the inhabitants of Zahla.

"After this success, it might be supposed Daher would have allowed himself time to breathe, and have turned his attention to preparations for his defence, which was become every day more necessary; but fortune had determined he should no longer enjoy any repose. For several years past, domestic troubles had accompanied foreign wars; and it was only by means of the latter he had been able to appease the former. His children, who were themselves old men, were wearied of waiting so long for their inheritance; and, besides this constant disposition to revolt, had real grievances to complain of, which by giving too much reason for their discontents, rendered them the more dangerous. For several years, the Christian Ibrahim, minister of the Shaik, had engrossed all his confidence, which he shamefully abused to gratify his own avarice. He dared not openly exercise the tyranny

ranny of the Turks; but he neglected no means, however unjust, by which he could amass money. He monopolized every article of commerce; he alone had the sale of corn, cotton, and other articles of exportation; and he alone purchased cloths, indigo, sugars, and other merchandize. His avarice had frequently invaded the supposed privileges, and even the real rights of the Shaiks; they did not pardon him this abuse of power, and every day, furnishing fresh subjects of complaint, was productive of new disturbances. Daher, whose understanding began to be impaired by his extreme old age, did not adopt measures calculated to appease them. He called his children rebels and ungrateful, and imagined he had no faithful and disinterested servant but Ibrahim: this insatiation served only to destroy all respect for his person, and to inflame and justify their discontents.

"The unhappy effects of this conduct fully displayed themselves in 1774. Since the death of Ali Bey, Ibrahim, finding he had more to fear than hope, had abated something of his haughtiness. He no longer saw the same certainty of amassing money by making war. His allies, the Russians, in whom all his confidence was placed, began themselves to talk of peace; and these motives determined him likewise to conclude it, for which purpose he entered into a treaty with a capidji whom the Porte maintained at Acre. It was agreed that Daher and his sons should lay down their arms, but retain the government of the country, by receiving the *Tails*, which are the symbols of this power. But it was likewise stipulated, that Saïde should

be restored, and the Shaik pay the miri, as he had done formerly. These conditions were extremely dissatisfactory to the sons of Daher, and the more so, because they were concluded without their participation. They deemed it disgraceful again to become tributaries, and were still more offended that the Porte had granted to none of them the title of their father; they therefore all revolted. Ali repaired to Palestine, and took up his quarters at Habroun; Ahmad and Seïd retired to Nablous, Otman among the Arabs of Saker, and the remainder of the year passed in these dissensions.

"Such was the situation of affairs, when, at the beginning of 1775, Mohammed-Bey appeared in Palestine, with all the forces he was able to collect. Gaza, destitute of ammunition, did not venture to resist. Yafa, proud of the part she had acted in former disputes, had more courage; the inhabitants took arms, and their resistance had nearly disappointed the vengeance of the mamlook; but every thing conspired to the destruction of Daher. The Druzes dared not stir; the Motoualis were discontented: Ibrahim summoned assistance from every quarter, but he offered no money, and his solicitations had no effect; he had not even the prudence to send provisions to the besieged. They were compelled to surrender, and the route to Acre was laid open to the enemy. As soon as the taking of Yafa was known, Ibrahim and Daher fled, and took refuge in the mountains of Safad. Ali Daher, confiding in the treaty between himself and Mohammed, took the place of his father; but soon perceiving he had been deceived, he took

took to flight likewise in his turn, and Acre remained in the possession of the Mamlouks.

"It would have been difficult to foresee the consequences of this revolution, but the unexpected death of its author rendered it, of a sudden, of no effect. The flight of the Egyptians, leaving free the country and capital of Daher, he lost no time in returning; but the storm was by no means appeased. He soon learnt that a Turkish fleet, under the command of Hassan, the celebrated captain Pacha, was laying siege to Saïde. He then discovered too late the perfidy of the Porte, which had lulled his vigilance by professions of friendship, while she was concerting with Mohammed Bey the means of his destruction. During a whole year that the Turks had been disengaged from the Russians, it was not difficult to foresee their intentions from their motions. Still, however it was in his power to endeavour to prevent the consequences of this error; but, unfortunately, even this he neglected. Degnizla, bombarded in Saïde without hope of succour, was constrained to evacuate the town; and the captain Pacha appeared instantly before Acre. At sight of the enemy, a consultation was held how to escape the danger, and this led to a quarrel, which decided the fate of Daher.

"In a general council, Ibrahim gave his opinion to repel force by force: his reasons were, that the captain Pacha had but three large vessels; that he could neither make an attack by land, nor remain at anchor, without danger, before the castle; that there was a sufficient force of cavalry and Mogravian infantry to hinder a descent, and that it was almost certain the Turks

would relinquish the enterprize without attempting any thing. In opposition to him, Degnizla declared for peace, because resistance could only prolong the war; he maintained it was unreasonable to expose the lives of so many brave men, when the same object might be effected by less valuable means, that is by money; that he was sufficiently acquainted with the avidity of the captain Pacha, to assert he would suffer himself to be corrupted; and was certain not only that he could procure his departure, but even make him a friend, for the sum of two thousand purses. This was precisely what Ibrahim dreaded; he therefore exclaimed against the measure, protesting there was not a medin in the treasury. Daher supported his assertion. "The Shaik is in the right," replied Degnizla; "his servants have long known that his generosity does not suffer his money to stagnate in his coffers; but does not the money they obtain from him belong to him? And can it be believed that thus entitled to them, we know not where to find two thousand purses?" At these words Ibrahim interrupting him, exclaimed, that as for himself, no man could be poorer. "Say baser," resumed Degnizla, transported with rage. "Who is ignorant, that for the last fourteen years, you have been heaping up enormous treasures? that you have monopolized all the trade of the country; that you sell all the lands, and keep back the payments that are due; that in the war of Mohammed Bey, you plundered the whole territory of Gaza, carried away all the corn, and left the inhabitants of Yafa without the necessaries of life?" He was proceeding, when the Shaik, commanding

manding silence, protested the innocence of his minister, and accused Degnizla of envy and treachery. Degnizla instantly quitted the council, and assembling his countrymen, the Mograbians or Barbary Arabs, who composed the chief strength of the place, forbid them to fire upon the captain Pacha.

“Daher, however, determined to stand the attack, made every necessary preparation; and, the next day, Hassan, approaching the castle, began the cannonade. Daher answered with the few pieces near him; but in spite of his reiterated orders, the others did not fire. Finding himself betrayed, he mounted his horse; and, leaving the town by the gate which opens towards the gardens on the north, attempted to gain the country; but, while he was passing along the walls of these gardens, a Mograbian soldier shot him with a musquet in the loins, and he fell from his horse, when the Barbary Arabs, instantly surrounding his body, cut off his head, which they carried to the captain Pacha, who, according to the odious custom of the Turks, loaded it with insults while he surveyed it, and had it pickled, in order to carry it to Constantinople, as a present to the Sultan, and a spectacle to the people.

“Such was the tragical end of a man, in many respects, worthy of a better fate. It is long since Syria has beheld among her chiefs so great a character. In military

affairs, no man possessed more courage, activity, coolness, or resources. In politics, the noble frankness of his mind was not diminished even by his ambition. He was fond only of brave and open measures; and heroically preferred the dangers of the field to the wily intrigues of the cabinet; nor was it till he had taken Ibrahim for his minister that his conduct was blemished with a sort of duplicity which that Christian called prudence. The reputation of his justice had established throughout his states, a security unknown in Turkey; difference in religion occasioned no disputes on this head: he possessed the toleration, or, perhaps, the indifference of the Bedouin Arabs. He had also preserved the simplicity of their customs and manners. His table was not different from that of a rich farmer; the luxury of his dress never exceeded a few pelisses, and he never wore any trinkets. The greatest expence he incurred was in blood mares, for some of which he even paid as high as twenty thousand livres, (eight hundred and twenty-five pounds). He likewise loved women; but was so jealous of decency and decorum, that he ordered that every one taken in the act of gallantry, or offering insult to a woman, should suffer death: he had, in short, attained the difficult medium between prodigality and avarice, and was at once generous and economical.”

MANNERS OF NATIONS.

NUPTIAL and FUNERAL RITES of the ANCIENT MEXICANS.

[From the First Volume of the Abbé CLAVIGERO's History of Mexico, translated by CHARLES CULLEN, Esq.]

“**W**ITH respect to the marriages of the Mexicans, although in them, as well as in all their customs, superstition had a great share, nothing, however, attended them which was repugnant to decency or honour. Any marriage between persons related in the first degree of consanguinity or alliance, was strictly forbid, not only by the laws of Mexico, but also by the laws of Michuacan, unless it was between cousins. The parents were the persons who settled all marriages, and none were ever executed without their consent. When a son arrived at an age capable of bearing the charges of that state, which in men was from the age of twenty to twenty-two years, and in women from sixteen to eighteen, a suitable and proper wife was singled out for him; but before the union was concluded on, the diviners were consulted, who, after having considered the birth-day of the youth, and of the young girl intended for his bride, decided on the happiness or unhappiness of the match. If from the combination of signs attending their birth, they pronounced the alliance unpropitious, that young maid was abandoned, and another sought. If, on the contrary, they predicted

happiness to the couple, the young girl was demanded of her parents by certain women amongst them called *cihuatlanque*, or solicitors, who were the most elderly and respectable amongst the kindred of the youth. These women went the first time at midnight to the house of the damsel, carried a present to her parents, and demanded her of them in a humble and respectful style. The first demand, was, according to the custom of that nation, infallibly refused, however advantageous and eligible the marriage might appear to the parents, who gave some plausible reasons for their refusal. After a few days were past, those women returned to repeat their demand, using prayers and arguments also, in order to obtain their request, giving an account of the rank and fortune of the youth, and of what he would make the dowry of his wife, and also gaining information of that which he could bring to the match on her part. The parents replied to this second request, that it was necessary to consult their relations and connections, and to find out the inclination of their daughter, before they could come to any resolution. These female solicitors returned no more; as the parents them-

themselves conveyed, by means of other women of their kindred, a decisive answer to the party.

"A favourable answer being at last obtained, and a day appointed for the nuptials, the parents, after exhorting their daughter to fidelity and obedience to her husband, and to such a conduct in life as would do honour to her family, conducted her with a numerous company and music, to the house of her father-in-law; if noble, she was carried in a litter. The bridegroom, and the father and mother-in-law, received her at the gate of the house, with four torches borne by four women. At meeting, the bride and bridegroom reciprocally offered incense to each other; then the bridegroom taking the bride by the hand, led her into the hall, or chamber which was prepared for the nuptials. They both set down upon a new and curiously wrought mat, which was spread in the middle of the chamber, and close to the fire which was kept lighted. Then a priest tied a point of the huepilli, or gown of the bride, with the tilmarli, or mantle of the bridegroom, and in this ceremony the matrimonial contract chiefly consisted. The wife now made some turns round the fire, and then returning to her mat, she, along with her husband, offered copal to their gods, and exchanged presents with each other. The repast followed next. The married pair eat upon the mat, giving mouthfuls to each other alternately, and to the guests in their places. When those who had been invited were become exhilarated with wine, which was freely drank on such occasions, they went out to dance in the yard of the house, while the married pair remained in the chamber, from which, during four days,

they never stirred, except to obey the calls of nature, or to go to the oratory at midnight to burn incense to the idols, and to make oblations of eatables. They passed these four days in prayer and fasting, dressed in new habits, and adorned with certain ensigns of the gods of their devotion, without proceeding to any act of less decency, fearing that otherwise the punishment of heaven would fall upon them. Their beds on these nights were two mats of rushes, covered with small sheets, with certain feathers, and a gem of Chalchihuitl in the middle of them. At the four corners of the bed green canes and spines of the aloe were laid, with which they were to draw blood from their tongues and their ears in honour of their gods. The priests were the persons who adjusted the bed to sanctify the marriage; but we know nothing of the mystery of the canes, the feathers, and the gem. Until the fourth night the marriage was not consummated; they believed it would have proved unlucky, if they had anticipated the period of consummation. The morning after they bathed themselves and put on new dresses, and those who had been invited, adorned their heads with white, and their hands and feet with red feathers. The ceremony was concluded by making presents of dresses to the guests, which were proportioned to the circumstances of the married pair; and on that same day they carried to the temple the mats, sheets, canes, and the eatables which had been presented to the idols.

"The forms which we have described, in the marriages of the Mexicans were not so universal through the empire; but that some provinces observed other peculiar-

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ities. In Ichcatlan, whoever was desirous of marrying presented himself to the priests, by whom he was conducted to the temple, where they cut off a part of his hair before the idol which was worshipped there, and then pointing him out to the people, they began to exclaim, saying, *this man wishes to take a wife*. Then they made him descend, and take the first free woman he met, as the one whom heaven destined to him. Any woman who did not like to have him for a husband, avoided coming near to the temple at that time, that she might not subject herself to the necessity of marrying him: this marriage was only singular therefore in the mode of seeking for a wife.

"Among the Otomies, it was lawful to use any free woman before they married her. When any person was about to take a wife, if on the first night he found any thing about his wife which was disagreeable to him, he was permitted to divorce her the next day; but if he shewed himself all that day content with having her, he could not afterwards abandon her. The contract being thus ratified, the pair retired to do penance for past offences twenty or thirty days, during which period they abstained from most of the pleasures of the senses, drew blood from themselves, and frequently bathed.

"Among the Miztecas, besides the ceremony of tying the married pair together by the end of their garments, they cut off a part of their hair, and the husband carried his wife for a little time upon his back.

"They permitted polygamy in the Mexican empire. The kings and lords had numerous wives; but it is probable, that they observed all the ceremonies with their principal

wives only, and that with the rest the essential rite of tying their garments together was sufficient.

"The Spanish theologists and canonists, who went to Mexico immediately after the conquest, being unacquainted with the customs of those people, raised doubts about their marriages; but when they had learnt the language, and properly examined that and other points of importance, they acknowledged such marriages to be just and lawful. Pope Paul III. and the provincial council of Mexico, ordered, in conformity to the sacred canons, and the usage of the church, that all those who were willing to embrace christianity, should keep no other wife but the one whom they had first married.

"However superstitious the Mexicans were in other matters, in the rites which they observed at funerals they exceeded themselves. As soon as any person died, certain masters of funeral ceremonies were called, who were generally men advanced in years. They cut a number of pieces of paper, with which they dressed the dead body, and took a glass of water with which they sprinkled the head, saying, that that was the water used in the time of their life. They then dressed it in a habit suitable to the rank, the wealth, and the circumstances attending the death of the party. If the deceased had been a warrior, they clothed him in the habit of Huitzilopochtli; if a merchant, in that of Jacatuetli; if an artist, in that of the protecting god of his art or trade: one who had been drowned was dressed in the habit of Tlaloc; one who had been executed for adultery, in that of Tlazolteotl; and a drunkard in the habit of Tezcatzoncatl, god of wine. In short, as Gomara has well observed, they

they wore more garments after they were dead than while they were living.

"With the habit they gave the dead a jug of water, which was to serve on the journey to the other world, and also at successive different times, different pieces of paper, mentioning the use of each. On consigning the first piece to the dead, they said: "By means of this you will pass without danger between the two mountains which fight against each other." With the second they said: "By means of this you will walk without obstruction along the road which is defended by the great serpent." With the third: "By this you will go securely through the place, where there is the crocodile Xochitonal." The fourth was a safe passport through the eight deserts; the fifth through the eight hills; and the sixth was given in order to pass without hurt through the sharp wind; for they pretended that it was necessary to pass a place called Itzhecajan, where a wind blew so violently as to tear up rocks, and so sharp that it cut like a knife; on which account they burned all the habits which the deceased had worn during life, their arms, and some household goods, in order that the heat of this fire might defend them from the cold of that terrible wind.

"One of the chief and most ridiculous ceremonies at funerals was the killing a techichi, a domestic quadruped, which we have already mentioned, resembling a little dog, to accompany the deceased in their journey to the other world. They fixed a string about its neck, believing that necessary to enable it to pass the deep river of Chiuhnahapan, or New Waters. They buried the techichi, or burned it a-

long with the body of its master, according to the kind of death of which he died. While the masters of the ceremonies were lighting up the fire in which the body was to be burned, the other priests kept singing in a melancholy strain. After burning the body, they gathered the ashes in an earthen pot, amongst which, according to the circumstances of the deceased, they put a gem of more or less value; which they said would serve him in place of a heart in the other world. They buried this earthen pot in a deep ditch, and four score days after made oblations of bread and wine over it.

"Such were the funeral rites of the common people; but at the death of kings, and that of lords, or persons of high rank, some peculiar forms were observed that are worthy to be mentioned. When the king fell sick, says Gomara, they put a mask on the idol of Huitzilopochtli, and also one on the idol of Tezcaulipoca, which they never took off until the king was either dead or recovered; but it is certain, that the idol of Huitzilopochtli had always two masks, not one. As soon as a king of Mexico happened to die, his death was published in great form, and all the lords who resided at court, and also those who were but a little distant from it were informed of the event, in order that they might be present at the funeral. In the mean time they laid the royal corpse upon beautiful curiously wrought mats, which was attended and watched by his domestics. Upon the fourth or fifth day after, when the lords were arrived, who brought with them rich dresses, beautiful feathers, and slaves to be presented, to add to the pomp of the funeral, they clothed the

corpse in fifteen, or more; very fine habits of cotton of various colours, ornamented it with gold, silver, and gems, hung an emerald at the under lip, which was to serve in place of a heart, covered the face with a mask, and over the habits were placed the ensigns of that god, in whose temple or area the ashes were to be buried. They cut off some of the hair, which, together with some more which had been cut off in the infancy of the king, they preserved in a little box, in order to perpetuate, as they said, the memory of the deceased. Upon the box they laid an image of the deceased, made of wood, or of stone. Then they killed the slave who was his chaplain, who had had the care of his oratory, and all that belonged to the private worship of his gods, in order that he might serve him in the same office in the other world.

"The funeral procession came next, accompanied by all the relations of the deceased, the whole of the nobility, and the wives of the late king, who testified their sorrow by tears and other demonstrations of grief. The nobles carried a great standard of paper, and the royal arms and ensigns. The priests continued singing, but without any musical instrument. Upon their arrival at the lower area of the temple, the high-priest, together with their servants, came out to meet the royal corpse, which, without delay, they placed on the funeral pile, which was prepared there for that purpose of odoriferous resinous woods, together with a large quantity of copal, and other aromatic substances. While the royal corpse, and all its habits, the arms and ensigns were burning, they sacrificed at the bottom of the stairs of the temple a great number of slaves of those which belonged

to the deceased, and also of those which had been presented by the lords. Along with the slaves, they likewise sacrificed some of the irregularly formed men, whom the king had collected in his palaces for his entertainment, in order that they might give him the same pleasure in the other world; and for the same reason they used also to sacrifice some of his wives. The number of the victims was proportioned to the grandeur of the funeral, and amounted sometimes, as several historians affirm, to two hundred. Among the other sacrifices the techichi was not omitted; they were firmly persuaded that without such a guide it would be impossible to get through some dangerous ways which led to the other world.

"The day following the ashes were gathered, and the teeth which remained entire; they sought carefully for the emerald which had been hung to the under lip, and the whole were put into the box with the hair, and they deposited the box in the place destined for his sepulchre. The four following days they made oblations of eatables over the sepulchre; on the fifth, they sacrificed some slaves, and also some others on the twentieth, fortieth, sixtieth, and eightieth day after. From that time forward, they sacrificed no more human victims: but every year they celebrated the day of the funeral with sacrifices of rabbits, butterflies, quails, and other birds, and with oblations of bread, wine, copal, flowers, and certain little reeds filled with aromatic substances, which they called *acajetl*. This anniversary was held for four years.

"The bodies of the dead were in general burned; they buried the bodies entire of those only who had been drowned, or had died of drop-

fr, and some other diseases; but what was the reason of these exceptions we know not.

"There was no fixed place for burials. Many ordered their ashes to be buried near to some temple or altar, some in the fields, and others in those sacred places of the mountains where sacrifices used to be made. The ashes of the kings and lords, were, for the most part, deposited in the towers of the temples, especially in those of the greater temple. Close to Teotihuacan, where there were many temples, there were also innumerable sepulchres. The tombs of those whose bodies had been buried entire, agreeable to the testimony of the anonymous conqueror who saw them, were deep ditches, formed with stone and lime, within which they placed the bodies in a sitting posture upon icpalli, or low seats, together with the instruments of their art or profession. If it was the sepulchre of any military person, they laid a shield and sword by him; if of a woman, a spindle, a weaver's shuttle, and a xicalli, which was a certain naturally formed vessel, of which we shall say more hereafter. In the tombs of the rich they put gold and jewels, but all were provided with eatables for the long journey which they had to make. The Spanish conquerors, knowing of the gold which was buried with the Mexican lords in their tombs, dug up several, and found considerable quantities of that precious metal. Cortes says in his letters, that at one entry which he made into the capital, when it was besieged by his army, his soldiers found fifteen hundred castellanos, that is, two hundred and forty ounces of gold, in one sepulchre, which was in the tower of a temple. The anonymous conqueror says also, that he

was present at the digging up of another sepulchre, from which they took three thousand castellanos.

"The caves of the mountains were the sepulchres of the ancient Chechemecas; but, as they grew more civilized, they adopted in this and other rites, the customs of the Acolhuan nation, which were nearly the same with those of the Mexicans.

"The Miztecas retained in part the ancient usage of the Chechemecas, but in some things they were singular in their customs. When any of their lords fell sick, they offered prayers, vows, and sacrifices for the recovery of his health. If it was restored, they made great rejoicings. If he died, they continued to speak of him as if he was still alive, and conducted one of his slaves to the corpse, dressed him in the habits of his master, put a mask upon his face, and for one whole day, paid him all the honours which they had used to render to the deceased. At midnight, four priests carried the corpse to be buried in a wood, or in some cavern, particularly in that one where they believed the gate of paradise was, and at their return they sacrificed the slave, and laid him with all the ornaments of his transitory dignity, in a ditch; but without covering him with earth.

"Every year they held a festival in honour of their last lord, on which they celebrated his birth; not his death, for of it they never spoke.

"The Zapotecas, their neighbours, embalmed the body of the principal lord of their nation. Even from the time of the first Chechemecan kings, aromatic preparations were in use among those nations to preserve dead bodies from speedy corruption; but we do not know that these were very frequent."

Their CEREMONIES on the ELECTION of a KING.

[From the same Work.]

“**N**O new king was elected until the funeral of his predecessor was celebrated with due pomp and magnificence. As soon as the election was made, advice was sent to the kings of Acolhuacan and Tacuba, in order that they might confirm it, and also to the feudatory lords who had been present at the funeral. These two kings led the new chosen sovereign to the greater temple. The feudatory lords went first, with the ensigns of their states; then the nobles of the court with the badges of their dignity and offices; the two allied kings followed next, and behind them the king elect, stript naked, without any covering except the maxtlatl, the girdle, or large bandage, about his middle. He ascended the temple, resting on the arms of two nobles of the court, where one of the high-priests, accompanied by the most respectable officers of the temple, received him. He worshipped the idol of Huitzilopochtli, touching the earth with his hand, and then carrying it to his mouth. The high-priest dyed his body with a certain kind of ink, and sprinkled him four times with water which had been blessed, according to their rite, at the grand festival of Huitzilopochtli, making use for this purpose of branches of cedar and willow, and the leaves of maize. He was clothed in a mantle, on which were painted skulls and bones of the dead, and his head was covered with two other cloaks, one black, and the other blue, on which similar figures were represented. They tied a small gourd to his neck, containing a

certain powder, which they esteemed a strong preservative against diseases, sorcery, and treason. Happy would that people be whose king could carry about him such a preservative. They put afterwards a censor, and a bag of copal in his hands, that he might give incense to the idol with them. When this act of religion was performed, during which the king remained on his knees, the high-priest sat down and delivered a discourse to him, in which after congratulating him on his advancement, he informed him of the obligation he owed his subjects for having raised him to the throne, and warmly recommended to him zeal for religion and justice, the protection of the poor, and the defence of his native country and kingdom. The allied kings and the nobles next addressed him to the same purpose; to which the king answered with thanks and promises to exert himself to the utmost of his power for the happiness of the state. Gomara, and other authors who have copied him, affirm, that the high-priest made him swear to maintain their ancient religion, to observe the laws of his ancestors, and to make the sun go his course, to make the clouds pour down rain, to make the rivers run, and all fruits to ripen. If it is true, that they made the king take so extravagant an oath, it is probable that they only meant to oblige him to maintain a conduct worthy of these favours from heaven.

“After hearing these addresses, the king descended with all his attendants to the lower area, where the rest of the nobility waited to make

make their obedience, and pay him homage in jewels and apparel. He was thence conducted to a chamber within the inclosure of the temple called Tlacatecco, where he was left by himself four days, during which time he was allowed to eat but once a day; but he might eat flesh or any other kind of food. He bathed twice every day, and after bathing he drew blood from his ears, which he offered together with some burnt copal to Huitzilo-

pochtli, making all the while constant and earnest prayers to obtain that enlightenment of understanding which was requisite in order to govern his monarchy with prudence. On the fifth day, the nobility returned to the temple, conducting the new king to his palace, where the feudatory lords came to renew the investiture of their fiefs. Then followed the rejoicings of the people, entertainments, dances, and illuminations."

MORAL and PHYSICAL QUALITIES of the MEXICANS.

[From the same Work.]

"THE moral and physical qualities of the Mexicans, their tempers and dispositions, were the same with those of the Acolhuicans, the Tepanceans, the Tlascalans, and other nations, with no other difference than what arose from their different mode of education; so that what we shall say of the one, we could wish to be understood as equally applicable to the rest. Several authors, ancient as well as modern, have undertaken a description of these people, but I have not met with any one which is, in every respect, faithful and correct. The passions and prejudices of some, and the imperfect information, or the weak understandings of others, have prevented their representing them in their genuine colours. What we shall say upon the subject, is derived from a serious and long study of the history of these nations, from a familiar intercourse for many years with the natives, and from the most minute observations with respect to their present state, made both by

ourselves and by other impartial persons. I certainly have no bias upon my own mind which should make me lean to one side more than to the other; as neither the feelings of a fellow-countryman can sway my opinion in their favour, nor can I be interested to condemn them from a love of my nation, or zeal for the honour of my countrymen: so that I shall speak frankly and plainly the good and the bad, which I have discovered in them.

"The Mexicans are of a good stature, generally rather exceeding than falling short of the middle size, and well proportioned in all their limbs: they have good complexions, narrow foreheads, black eyes, clean, firm, regular white teeth, thick, black, coarse, glossy hair, thin beards, and generally no hair upon their legs, thighs, and arms. Their skin is of an olive colour.

"There is scarcely a nation, perhaps, upon earth in which there are fewer persons deformed, and it

would be more difficult to find a single hump-backed, lame, or squint-eyed man amongst a thousand Mexicans, than among any hundred of any other nation. The unpleasantness of their colour, the smallness of their forehead, the thinness of their beard and the coarseness of their hair, are so far compensated by the regularity and fine proportions of their limbs, that they can neither be called very beautiful, nor the contrary, but seem to hold a middle-place between the extremes. Their appearance neither engages nor disgusts; but among the young women of Mexico, there are many very beautiful and fair; whose beauty is at the same time rendered more winning by the sweetness of their manner of speaking, and by the pleasantness and natural modesty of their whole behaviour.

" Their senses are very acute, especially that of sight, which they enjoy unimpaired to the greatest age. Their constitutions are sound, and their health robust. They are entirely free of many disorders which are common among the Spaniards, but of the epidemical diseases to which their country is occasionally subject, they are the principal victims; with them these diseases begin, and with them they end. One never perceives in a Mexican that sinking breath which is occasioned in other people by the corruption of the humours or indigestion. Their constitutions are phlegmatic; but the pituitous evacuations from their heads are very scanty, and they seldom spit. They become grey-headed and bald earlier than the Spaniards, and although most of them die of acute diseases, it is not very uncommon among them to attain the age of a hundred.

" They are now, and have ever

been, very moderate in eating, but their passion for strong liquors is carried to the greatest excess. Formerly they were kept within bounds by the severity of the laws; but now that these liquors are grown so common, and drunkenness is unpunished, one half of the people seem to have lost their senses; and this, together with the poor manner in which they live, exposed to all the baneful impressions of disease, and destitute of the means of correcting them, is undoubtedly the principal cause of the havoc which is made among them by the epidemical disorders.

" Their minds are at bottom in every respect like those of the other children of Adam, and endued with the same powers; nor did the Europeans ever do themselves credit to their own reason than when they doubted of the rationality of the Americans. The state of civilization among the Mexicans, when they were first known to the Spaniards, which was much superior to that of the Spaniards themselves, when they were first known to the Phœnicians, that of the Gauls when first known to the Greeks, or that of the Germans and Britons when first known to the Romans, should of itself have been fully sufficient to correct such an error of man's mind, if it had not been the interest of the inhuman avarice of some ruffians to encourage it. Their understandings are fitted for every kind of science, as experience has actually shewn. Of the Mexicans who have had an opportunity of engaging in the pursuits of learning, which is but a small number, as the greatest part of the people are always employed in the public or private works, we have known some good mathematicians, excellent architects, and learned divines.

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"Many persons allow the Mexicans to possess a great talent of imitation, but deny them the praise of invention: a vulgar error, which is contradicted by the ancient history of that people.

"Their minds are affected by the same variety of passions with those of other nations, but not to an equal degree. The Mexicans seldom exhibit those transports of anger, or those frenzies of love which are so common in other countries.

"They are slow in their motions, and shew a wonderful tenacity and steadiness in those works which require time and long continued attention. They are most patient of injury and hardship; and where they suspect no evil intention, are most grateful for any kindness shewn; but some Spaniards, who cannot distinguish patience from insensibility, nor distrust from ingratitude, say proverbially, that the Indians are alike insensible to injuries and to benefits. That habitual distrust which they entertain of all who are not of their own nation, prompts them often to lie and betray; so that good faith certainly has not been so much respected among them as it deserves.

"They are by nature taciturn, serious, and austere, and shew more anxiety to punish crimes than to reward virtues.

"Generosity and perfect disinterestedness are the principal features of their character. Gold with the Mexicans has not that value which it enjoys elsewhere. They seem to give without reluctance what has cost them the utmost labour to acquire. The neglect of selfish interests, together with the dislike which they bear to their rulers, and consequently their aversion to the tasks imposed by them, seem to have

been the only grounds of that much exaggerated indolence with which the Americans have been charged: and after all, there is no set of people in that country who labour more, nor whose labours are more useful or more necessary.

"The respect paid by children to their parents, and by the young to the old, among those people, seem to be feelings that are born with them. Parents are very fond of their children; but the affection which husbands bear to their wives, is certainly less than that borne by the wives to their husbands; and it is very common for the men to love their neighbours wives better than their own.

"Courage and cowardice seem alternately so to affect their minds, that it is often difficult to determine whether the one or the other predominates. They meet dangers with intrepidity when they proceed from natural causes, but they are easily terrified by the stern look of a Spaniard. That stupid indifference about death and eternity, which many authors have thought inherent in the character of every American, is peculiar to only those who are yet so rude and uninformed as to have no idea of a future state.

"Their singular attachment to the external ceremonies of religion is very apt to degenerate into superstition, as happens with the ignorant of all nations of the world; but their proneness to idolatry is nothing more than a chimera formed in the absurd imaginations of misinformed persons. The instances of a few mountaineers are not sufficient to justify a general ascription upon the whole people.

"To conclude, the character of the Mexicans, like that of every other nation, is a mixture of good and bad; but the bad is easy to be
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corrected by a proper education, as has been frequently demonstrated by experience. It would be difficult to find, any where, a youth more docile than the present, or a body of people more ready than their ancestors were to receive the lights of religion.

"I must add, that the modern Mexicans are not in all respects similar to the ancient; as the Greeks

of these days have little resemblance to those who lived in the times of Plato and of Pericles. The ancient Mexicans shewed more fire, and were more sensible to the impressions of honour. They were more intrepid, more nimble, more active, more industrious; but they were, at the same time, more superstitious and cruel."

CUSTOMS and MANNERS of the BEDOUIN ARABS.

[Extracted from the First Volume of VOLNEY's Travels through Syria and Egypt.]

"IN general, when speaking of the Arabs, we should distinguish whether they are cultivators, or pastors; for this difference in their mode of life occasions so great a one in their manners and genius, that they become almost foreign nations, with respect to each other. In the former case, leading a sedentary life, attached to the same soil, and subject to regular governments, the social state in which they live, very nearly resembles our own. Such are the inhabitants of the Yemen; and such, also, are the descendants of those ancient conquerors, who have either entirely, or in part, given inhabitants to Syria, Egypt, and the Barbary states. In the second instance, having only a transient interest in the soil, perpetually removing their tents from one place to another, and under subjection to no laws, their mode of existence is neither that of polished nations, nor of savages; and, therefore, more particularly merits our attention. Such are the Bedouins, or inhabitants of the vast

deserts which extend from the confines of Persia, to Morocco. Though divided into independent communities, or tribes, not unfrequently hostile to each other, they may still be considered as forming one nation. The resemblance of their language is a manifest token of this relationship. The only difference that exists between them is, that the African tribes are of a less ancient origin, being posterior to the conquest of these countries by the Califs, or successors of Mahomet; while the tribes of the desert of Arabia, properly so called, have descended by an uninterrupted succession from the remotest ages; and it is of these I mean more especially to treat, as being more immediately connected with my subject. To these the orientals are accustomed to appropriate the name of Arabs, as being the most ancient, and the purest race. The term Bedaoui is added as a synonymous expression, signifying, as I have observed, inhabitant of the Desert; and this term has the greater propriety,

priety, as the word Arab, in the ancient language of these countries, signifies a solitude or desert.

"It is not without reason that the inhabitants of the Desert boast of being the purest and the best preserved race of all the Arab tribes: for never have they been conquered, nor have they mixed with any other people, by making conquests; for those by which the general name of Arabs has been rendered famous, really belong only to the tribes of the Hedjaz, and the Yemen; those who dwelt in the interior of the country, never emigrated at the time of the revolution effected by Mahomet; or if they did take any part in it, it was confined to a few individuals, detached by motives of ambition. Thus we find the prophet, in his Koran, continually styling the Arabs of the Desert rebels, and infidels; nor has so great a length of time produced any very considerable change. We may assert they have, in every respect, retained their primitive independence and simplicity. Every thing that ancient history has related of their customs, manners, language, and even their prejudices, is almost minutely true of them to this day; and if we consider, besides, that this unity of character, preserved through such a number of ages, still subsists, even in the most distant situations, that is, that the tribes most remote from each other preserve an exact resemblance, it must be allowed, that the circumstances which accompany so peculiar a moral state, are a subject of most curious enquiry.

"In Europe, and especially in its more civilized and improved countries, where we have no examples of wandering people, we can scarcely conceive what can in-

duce men to adopt a mode of life so repugnant to our ideas. We even conceive with difficulty what a desert is, or how it is possible for a country to have inhabitants, if it be barren; or why it is not better peopled, if it be susceptible of cultivation. I have been perplexed, myself, with these difficulties, as well as others; for which reason, I shall dwell more circumstantially on the facts which will furnish us with their explanation.

"The wandering and pastoral life led by several Asiatic nations, arises from two causes. The first is, the nature of the soil, which, being improper for cultivation, compels men to have recourse to animals, which content themselves with the wild herbage of the earth. Where this herbage is but thin, a single animal will soon consume the produce of a great extent of ground, and it will be necessary to run over large tracts of land. Such is the case of the Arabs in the desert of Arabia, properly so called, and in that of Africa.

"The second cause must be attributed to habit, since the soil is cultivable, and even fertile, in many places; such as the frontiers of Syria, the Diarbekir, Natolia, and the greatest part of the districts frequented by the Curds and Turkmen. But it appears to me that these habits are only the effect of the political state of the country, so that the primary cause of them must be referred to the government itself. This opinion is supported by daily facts; for as often as the different hordes and wandering tribes find peace and security, and a possibility of procuring sufficient provisions, in any district, they take up their residence in it, and adopt, insensibly, a settled life, and the arts of cultivation. But when, on the

the contrary, the tyranny of the government drives the inhabitants of a village to extremity, the peasants desert their houses, withdraw with their families into the mountains, or wander in the plains, taking care frequently to change their place of habitation, to avoid being surprised. It often happens even that individuals, turned robbers, in order to withdraw themselves from the laws, or from tyranny, unite and form little camps, which maintain themselves by arms, and, increasing, become new hordes, and new tribes. We may pronounce, therefore, that in cultivable countries, the wandering life originates in the injustice or want of policy of the government; and that the sedentary and cultivating state is that to which mankind is most naturally inclined.

“With respect to the Arabs, they seem especially condemned to a wandering life, by the very nature of their deserts. To paint to himself these deserts, the reader must imagine a sky almost perpetually inflamed, and without clouds, immense and boundless plains, without houses, trees, rivulets, or hills, where the eye frequently meets nothing but an extensive and uniform horizon, like the sea, though in some places the ground is uneven and stoney. Almost invariably naked on every side, the earth presents nothing but a few wild plants, thinly scattered, and thickets, whose solitude is rarely disturbed but by antelopes, hares, locusts, and rats. Such is the nature of nearly the whole country, which extends six hundred leagues in length, and three hundred in breadth, and stretches from Aleppo to the Arabian sea, and from Egypt to the Persian gulph.

“It must not, however, be imagined that the soil in so great an

extent is every where the same; it varies considerably in different places. On the frontiers of Syria, for example, the earth is in general fat and cultivable, nay, even fruitful. It is the same also on the banks of the Euphrates; but in the internal parts of the country, and towards the south, it becomes white and chalky, as in the parallel of Damascus; rocky, as in the Tih, and the Hedjaz; and a pure sand, as to the eastward of the Yemen. This variety in the qualities of the soil is productive of some minute differences in the condition of the Bedouins. For instance, in the more sterile countries, that is those which produce but few plants, the tribes are feeble, and very distant; which is the case in the desert of Suez, that of the Red Sea, and the interior of the Great Desert, called the Najd. When the soil is more fruitful, as between Damascus and the Euphrates, the tribes are more numerous, and less remote from each other; and, lastly, in the cultivable districts, such as the pachalics of Aleppo, the Hauran, and the neighbourhood of Gaza, the camps are frequent and contiguous. In the former instances, the Bedouins are purely pastors, and subsist only on the produce of their herds, and on a few dates, and flesh meat, which they eat, either fresh, or dried in the sun, and reduced to a powder. In the latter, they sow some land, and add cheese, barley, and even rice, to their flesh and milk meats.

“Such is the situation in which nature has placed the Bedouins, to make of them a race of men equally singular in their physical and moral character. This singularity is so striking, that even their neighbours, the Syrians, regard them

as extraordinary beings; especially those tribes which dwell in the depths of the deserts, such as the Anaza, Kaibar, Tai, and others, which never approach the towns. When, in the time of Shaik Daher, some of their horsemen came as far as Acre, they excited the same curiosity there, as a visit from the savages of America would among us. Every body viewed with surprise these men, who were more diminutive, meagre, and swarthy, than any of the known Bedouins. Their withered legs were only composed of tendons, and had no calves. Their bellies seem to cling to their backs, and their hair was frizzled almost as much as that of the negroes. They, on the other hand, were no less astonished at every thing they saw; they could neither conceive how the houses and minarets could stand erect, nor how men ventured to dwell beneath them, and always in the same spot; but, above all, they were in an ecstasy on beholding the sea, nor could they comprehend what that desert of water could be. They were told of mosques, prayers, and ablutions; but they asked what those meant, and enquired who Moses, Jesus Christ, and Mahomet, were; and why, since the inhabitants were not of separate tribes, they followed different leaders?

“We may imagine, that the Arabs of the frontiers are not such novices; there are even several small tribes of them, who, living in the midst of the country, as in the valley of Bekaa, that of the Jordan, and in Palestine, approach nearer to the condition of the peasants; but these are despised by the others, who look upon them as bastard Arabs, and rayas, or slaves of the Turks.

“In general, the Bedouins are

small, meagre, and tawny; more so, however, in the heart of the desert, than on the frontiers of the cultivated country; but they are always of a darker hue than the neighbouring peasants. They also differ among themselves in the same camp; and I have remarked, that the Shaiks, that is, the rich, and their attendants, were always taller, and more corpulent, than the common clans. I have seen some of them above five feet five and six inches high; though, in general, they do not exceed five feet two inches. This difference can only be attributed to their food, with which the former are supplied more abundantly than the latter. It may, likewise, be affirmed, that the lower class of Bedouins live in a state of habitual wretchedness and famine. It will appear almost incredible to us, but it is an undoubted fact, that the quantity of food usually consumed by the greatest part of them, does not exceed six ounces a day. This abstinence is most remarkable among the tribes of the Nadj, and the Hedjaz. Six or seven dates soaked in melted butter, a little sweet milk, or curds, serve a man a whole day; and he esteems himself happy, when he can add a small quantity of coarse flour, or a little ball of rice. Meat is reserved for the greatest festivals; and they never kill a kid but for a marriage or a funeral. A few wealthy and generous Shaiks alone can kill young camels, and eat baked rice with their victuals. In times of dearth, the vulgar, always half famished, do not disdain the most wretched kinds of food; and eat locusts, rats, lizards, and serpents broiled on briars. Hence are they such plunderers of the cultivated lands, and robbers on the high-roads: hence, also, their delicate

cate constitution, and their diminutive and meagre bodies, which are rather active than vigorous. It may be worth while to remark, that their evacuations of every kind, even perspiration, are extremely small; their blood is so destitute of serosity, that nothing but the greatest heat can preserve its fluidity. This, however, does not prevent them from being tolerably healthy, in other respects, for maladies are less frequent among them than among the inhabitants of the cultivated country.

“From these facts, we are by no means justified in concluding, that the frugality of the Arabs is a virtue purely of choice, or even of climate. The extreme heat in which they live, unquestionably facilitates their abstinence, by destroying that activity which cold gives to the stomach. Their being habituated also to so sparing a diet, by hindering the dilatation of the stomach, becomes doubtless a means of their supporting such abstemiousness; but the chief and primary motive of this habit, is with them, as with the rest of mankind, the necessity of the circumstances in which they are placed, whether from the nature of the soil, as I have before explained, or that state of society in which they live, and which I shall now proceed to examine.

“I have already said, that the Bedouin Arabs are divided into tribes, which constitute so many distinct nations. Each of these tribes appropriates to itself a tract of land forming its domain; in this they do not differ from cultivating nations, except that their territory requires a greater extent, in order to furnish subsistence for their herds throughout the year. Each of these tribes is collected in

one or more camps, which are dispersed through the country, and which make a successive progress over the whole, in proportion as it is exhausted by the cattle; hence it is, that within a great extent a few spots only are inhabited, which vary from one day to another; but as the entire space is necessary for the annual subsistence of the tribe, whoever encroaches on it is deemed a violator of property; this is with them the law of nations. If, therefore, a tribe, or any of its subjects, enter upon a foreign territory, they are treated as enemies, and robbers, and a war breaks out. Now, as all the tribes have affinities with each other by alliances of blood, or conventions, leagues are formed, which render these wars more or less general. The manner of proceeding on such occasions, is very simple. The offence made known, they mount their horses, and seek the enemy; when they meet, they enter into a parley, and the matter is frequently made up; if not, they attack either in small bodies, or man to man. They encounter each other at full speed, with fixed lances, which they sometimes dart, notwithstanding their length, at the flying enemy; the victory is rarely contested; it is decided by the first shock, and the vanquished take to flight full gallop over the naked plain of the desert. Night generally favours their escape from the conqueror. The tribe which has lost the battle strikes its tents, removes to a distance by forced marches, and seeks an asylum among its allies. The enemy, satisfied with their success, drive their herds farther on, and the fugitives soon after return to their former situation. But the slaughter made in these engagements frequently sows the seeds of hatreds which

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perpetuate these dissensions. The interest of the common safety has, for ages, established a law among them, which decrees that the blood of every man who is slain must be avenged by that of his murderer. This vengeance is called *tar*, or retaliation; and the right of exacting it devolves on the nearest of kin to the deceased. So nice are the Arabs on this point of honour, that if any one neglects to seek his retaliation, he is disgraced for ever. He, therefore, watches every opportunity of revenge: if his enemy perishes from any other cause, still he is not satisfied, and his vengeance is directed against the nearest relation. These animosities are transmitted, as an inheritance, from father to children, and never cease but by the extinction of one of the families, unless they agree to sacrifice the criminal, or *purchase the blood* for a stated price, in money or in flocks. Without this satisfaction, there is neither peace, nor truce, nor alliances between them, nor sometimes, even between whole tribes: "There is blood between us," say they, on every occasion; and this expression is an insurmountable barrier. Such accidents being necessarily numerous in a long course of time, the greater part of the tribes have ancient quarrels, and live in an habitual state of war; which, added to their way of life, renders the Bedouins a military people, though they have made no great progress in war as an art.

"Their camps are formed in a kind of irregular circle, composed of a single row of tents, with greater or less intervals. These tents, made of goat or camels hair, are black or brown, in which they differ from those of the Turkmen, which are white. They are stretched on three or four pickets, only

five or six feet high, which gives them a very flat appearance; at a distance, one of these camps seems only like a number of black spots; but the piercing eye of the Bedouin is not to be deceived. Each tent, inhabited by a family, is divided, by a curtain, into two apartments, one of which is appropriated to the women. The empty space within the large circle serves to fold their cattle every evening. They never have any intrenchments; their only advanced guards and patrols are dogs; their horses remain saddled, and ready to mount on the first alarm; but, as there is neither order nor regularity, these camps, always easy to surprise, afford no defence in case of an attack: accidents, therefore, very frequently happen, and cattle are carried off every day; a species of marauding war in which the Arabs are very experienced.

"The tribes which live in the vicinity of the Turks, are still more accustomed to attacks and alarms; for these strangers, arrogating to themselves, in right of conquest, the property of the whole country, treat the Arabs as rebel vassals, or as turbulent and dangerous enemies. On this principle, they never cease to wage secret or open war against them. The Pachas study every occasion to harass them. Sometimes they contest with them a territory which they had let them, and at others demand a tribute which they never agreed to pay. Should a family of Shaiks be divided by interest or ambition, they alternately succour each party, and conclude by the destruction of both. Frequently too they poison or assassinate those chiefs whose courage or abilities they dread, though they should even be their allies. The Arabs, on their side, regarding the Turks

as usurpers and treacherous enemies, watch every opportunity to do them injury. Unfortunately, their vengeance falls oftener on the innocent than the guilty. The harmless peasant generally suffers for the offences of the soldier. On the slightest alarm, the Arabs cut their harvests, carry off their flocks, and intercept their communication and commerce. The peasant calls them thieves, and with reason; but the Bedouins claim the right of war, and perhaps they also are not in the wrong. However this may be, these depredations occasion a misunderstanding between the Bedouins and the inhabitants of the cultivated country, which renders them mutual enemies.

“Such is the external situation of the Arabs. It is subject to great vicissitudes, according to the good or bad conduct of their chiefs. Sometimes a feeble tribe raises and aggrandizes itself, whilst another, which was powerful, falls into decay, or perhaps is entirely annihilated; not that all its members perish, but they incorporate themselves with some other; and this is the consequence of the internal constitution of the tribes. Each tribe is composed of one or more principal families, the members of which bear the title of Shaiks, i. e. chiefs or lords. These families have a great resemblance to the patricians of Rome, and the nobles of modern Europe. One of the Shaiks has the supreme command over the others. He is the general of their little army, and sometimes assumes the title of Emir, which signifies Commander and Prince. The more relations, children, and allies he has, the greater is his strength and power. To these he adds particular adherents, whom he studiously attaches to him, by

supplying all their wants. But besides this, a number of small families, who, not being strong enough to live independent, stand in need of protection and alliances, range themselves under the banners of this chief. Such an union is called *kabila*, or tribe. These tribes are distinguished from each other by the name of their respective chiefs, or by that of the ruling family; and when they speak of any of the individuals who compose them, they call them the children of such a chief, though they may not be all really of his blood, and he himself may have been long since dead. Thus they say, *Beni Temin*, *Oulad Tai*, the children of Temin and of Tai. This mode of expression is even applied, by metaphor, to the names of countries: the usual phrase for denoting its inhabitants, being to call them the children of such a place. Thus the Arabs say, *Oulad Maf*, the Egyptians; *Oulad Sham*, the Syrians: they would also say, *Oulad Fransa*, the French; *Oulad Moskou*, the Russians, a remark which is not unimportant to ancient history.

“The government of this society is at once republican, aristocratical, and even despotic, without exactly corresponding with any of these forms. It is republican, inasmuch as the people have a great influence in all affairs, and as nothing can be transacted without the consent of a majority. It is aristocratical, because the families of the Shaiks possess some of the prerogatives which every where accompany power; and, lastly, it is despotic, because the principal Shaik has an indefinite and almost absolute authority, which, when he happens to be a man of credit and influence, he may even abuse; but the state of these tribes confines even

even this abuse to very narrow limits; for, if a chief should commit an act of injustice, if, for example, he should kill an Arab, it would be almost impossible for him to escape punishment; the resentment of the offended party would pay no respect to his dignity; the law of retaliation would be put in force; and, should he not pay the blood, he would be infallibly assassinated, which, from the simple and private life the Shaiks lead in their camps, would be no difficult thing to effect. If he harrasses his subjects by severity, they abandon him, and go over to another tribe. His own relations take advantage of his misconduct to depose him, and advance themselves to his station. He can have no resource in foreign troops; his subjects communicate too easily with each other to render it possible for him to divide their interests, and form a faction in his favour. Besides, how is he to pay them, since he receives no kind of taxes from the tribe; the wealth of the greater part of his subjects being limited to absolute necessities, and his own confined to very moderate possessions, and those too loaded with great expences?

“The principal Shaik in every tribe, in fact, defrays the charges of all who arrive at or leave the camp. He receives the visits of the allies, and of every person who has business with them. Adjoining to his tent is a large pavilion for the reception of all strangers and passengers. There are held frequent assemblies of the Shaiks and principal men, to determine on encampments and removals; on peace and war; on the differences with the Turkish governors and the villages; and the litigations and quarrels of individuals. To this crowd, which

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enters successively, he must give coffee, bread baked on the ashes, rice, and sometimes roasted kid or camel; in a word, he must keep open table; and it is the more important to him to be generous, as this generosity is closely connected with matters of the greatest consequence. On the exercise of this depend his credit and his power. The famished Arab ranks the liberality which feeds him before every virtue, nor is this prejudice without foundation; for experience has proved that covetous chiefs never were men of enlarged views: hence the proverb, as just as it is brief, “A close fist, a narrow heart.” To provide for these expences, the Shaik has nothing but his herds, a few spots of cultivated ground, the profits of his plunder, and the tribute he levies on the high roads, the total of which is very inconsiderable. The Shaik, with whom I resided in the country of Gaza, about the end of 1784, passed for one of the most powerful of those districts; yet it did not appear to me that his expenditure was greater than that of an opulent farmer. His personal effects, consisting in a few pelisses, carpets, arms, horses, and camels, could not be estimated at more than fifty thousand livres (a little above two thousand pounds); and it must be observed that in this calculation, four mares of the breed of racers, are valued at six thousand livres (two hundred and fifty pounds), and each camel at ten pounds sterling. We must not, therefore, when we speak of the Bedouins, affix to the words Prince and Lord, the ideas they usually convey; we should come nearer the truth by comparing them to substantial farmers, in mountainous countries, whose simplicity they resemble in their dress, as well as

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in their domestic life and manners. A Shaik, who has the command of five hundred horse, does not disdain to saddle and bridle his own, nor to give him barley and chopped straw. In his tent, his wife makes the coffee, kneads the dough, and superintends the dressing of the victuals. His daughters and kinswomen wash the linen, and go with pitchers on their head, and veils over their faces, to draw water from the fountain. These manners agree precisely with the descriptions in Homer, and the history of Abraham, in Genesis. But it must be owned that it is difficult to form a just idea of them without having ourselves been eye-witnesses.

"The simplicity, or, perhaps, more properly, the poverty, of the lower class of the Bedouins, is proportionate to that of their chiefs. All the wealth of a family consists of moveables, of which the following is a pretty exact inventory. A few male and female camels, some goats and poultry: a mare, and her bridle and saddle; a tent, a lance sixteen feet long, a crooked sabre, a rusty musket, with a flint, or matchlock; a pipe, a portable mill, a pot for cooking, a leathern bucket, a small coffee roaster, a mat, some clothes, a mantle of black wool, and a few glass or silver rings, which the women wear upon their legs and arms. If none of these are wanting, their furniture is complete. But what the poor man stands most in need of, and what he takes most pleasure in, is his mare; for this animal is his principal support. With his mare the Bedouin makes his excursions against hostile tribes, or seeks plunder in the country, and on the highways. The mare is preferred to the horse, because she does not neigh, is more docile, and yields

milk, which, on occasion, satisfies the thirst, and even the hunger of her master.

"Thus confined to the most absolute necessities of life, the Arabs have as little industry as their wants are few; all their arts consist in weaving their clumsy tents, and in making mats, and butter. Their whole commerce only extends to the exchanging camels, kids, stallions, and milk, for arms, clothing, a little rice or corn, and money, which they bury. They are totally ignorant of all science; and have not even any idea of astronomy, geometry, or medicine. They have not a single book; and nothing is so uncommon among the Shaiks, as to know how to read. All their literature consists in reciting tales and histories, in the manner of the Arabian Nights Entertainments. They have a peculiar passion for such stories; and employ in them almost all their leisure, of which they have a great deal. In the evening, they seat themselves on the ground, at the threshold of their tents, or under cover, if it be cold, and there, ranged in a circle round a little fire of dung, their pipes in their mouths, and their legs crossed, they sit a while in silent meditation, till, on a sudden, one of them breaks forth with "Once upon a time"—and continues to relate the adventures of some young Shaik and female Bedouin: he relates in what manner the youth first got a secret glimpse of his mistress; and how he became desperately enamoured of her; he minutely describes the lovely fair, boasts her black eyes, as large and soft as those of the gazelle; her languid and impassioned looks, her arched eye-brows, resembling two bows of ebony: her waist straight, and supple as a lance; he forgets

not her steps, light as those of the young filley, nor her eye-lashes, blackened with *kohl*, nor her lips painted blue, nor her nails tinged with the golden coloured *benna*, nor her breasts, resembling two pomegranates, nor her words, sweet as honey. He recounts the sufferings of the young lover, "so wasted with desire and passion, that his body no longer yields any shadow." At length, after detailing his various attempts to see his mistress, the obstacles of the parents; the invasions of the enemy, the captivity of the two lovers, &c. he terminates to the satisfaction of the audience, by restoring them, united and happy, to the paternal tent, and by receiving the tribute paid to his eloquence, in the *Ma'cha allah* he has merited. The Bedouins have likewise their love-songs, which have more sentiment and nature in them than those of the Turks, and inhabitants of the towns; doubtless, because the former, whose manners are chaste, know what love is; while the latter, abandoned to debauchery, are acquainted only with enjoyment.

"Among themselves they are remarkable for a good faith, a disinterestedness, a generosity which would do honour to the most civilized people. What is there more noble than that right of asylum so respected among all the tribes? A stranger, nay, even an enemy, touches the tent of the Bedouin, and, from that instant, his person becomes inviolable. It would be reckoned a disgraceful meanness, an indelible shame, to satisfy even a just vengeance at the expence of hospitality: Has the Bedouin consented to eat bread and salt with his guest, nothing in the world can induce him to betray him. The power of the Sultan himself would

not be able to force a refugee from the protection of a tribe, but by its total extermination. The Bedouin, so rapacious without his camp, has no sooner set his foot within it, than he becomes liberal and generous. What little he possesses he is ever ready to divide. He has even the delicacy not to wait till it is asked: when he takes his repast, he affects to seat himself at the door of his tent, in order to invite the passengers; his generosity is so sincere, that he does not look upon it as a merit, but merely as a duty: and he, therefore, readily takes the same liberty with others. To observe the manner in which the Arabs conduct themselves towards each other, one would imagine that they possessed all their goods in common. Nevertheless, they are no strangers to property; but it has none of that selfishness which the increase of the imaginary wants of luxury has given it among polished nations. It may be alleged, that they owe this moderation to the impossibility of greatly multiplying their enjoyments; but, if it be acknowledged, that the virtues of the bulk of mankind are only to be ascribed to the necessity of circumstances, the Arabs, perhaps, are not for this less worthy our esteem. They are forunate, at least, that this necessity should have established among them a state of things, which has appeared to the wisest legislators as the perfection of human policy: I mean, a kind of equality in the partition of property, and the variety of conditions. Deprived of a multitude of enjoyments, which nature has lavished upon other countries, they are less exposed to temptations which might corrupt and debase them. It is more difficult for their Shaiks to form a fac-

tion to enslave and impoverish the body of the nation. Each individual, capable of supplying all his wants, is better able to preserve his character, and independence; and private poverty becomes at once the foundation and bulwark of public liberty."

'MANNERS and CHARACTER of the INHABITANTS of SYRIA.

[Extracted from the Second Volume of VOLNEY's Travels through Syria and Egypt.]

OF all the subjects of observation any country affords, the moral character of its inhabitants is unquestionably the most important; but it must likewise be acknowledged, it is at the same time the most difficult: for it is not sufficient to make a barren enquiry into facts; the essential object is to investigate their various causes and relations; to discover the open or secret, the remote or immediate springs, which produce in men those habits of action we call manners, and that uniform disposition of mind we name character. Now, to succeed in such an enquiry, it is necessary to communicate with the men we wish to know; we must place ourselves in their situations, in order to feel by what agents they are influenced, and the consequences which result; we must live in their country, learn their language, and adopt their customs; conditions seldom complied with by travellers; and which, even when they are, still leave to be surmounted numerous difficulties, which arise from the nature of the thing itself; for we have not only to combat the prejudices we may meet in our way, but to overcome our own; against which we can never be sufficiently on our guard; habits are powerful, facts liable to be mistaken, and error easy. The observer, then,

should be circumspect though not timid, and the reader, obliged to see with the eyes of others, should watch attentively both the reasoning of his guide, and the deductions he may be inclined to draw himself.

"When an European arrives in Syria, or indeed in any part of the eastern world, what appears most extraordinary to him, in the exterior of the inhabitants, is the almost total opposition of their manners to our own: it seems as if some premeditated design had determined to produce an infinity of the most striking contrasts between the people of Asia and those of Europe. We wear short and close dresses; theirs are long and ample. We suffer our hair to grow, and shave the beard; they let the beard grow, and shave the head. With us, to uncover the head is a mark of respect; with them, a naked head is a sign of folly. We salute in an inclined posture; they upright. We pass our lives erect; they are almost continually seated. They sit and eat upon the ground; we upon raised seats. With respect to language, likewise, their manner of writing is directly contrary to ours, and the greatest part of our masculine nouns are feminine with them. To the bulk of travellers these contrasts only ap-

pear whimsical; but it may be interesting to philosophers, to enquire into the causes of so great a diversity of habits, in men who have the same wants, and in nations which appear to have one common origin.

“Another distinguishing characteristic, no less remarkable, is that religious exterior observable in the countenances, conversation, and gestures of the inhabitants of Turkey. In the streets, every one appears with his string of beads. We hear nothing but emphatical exclamations of *Ya Allah!* O God! *Allah akbar!* God most great! *Allah taala,* God most high! Every instant the ear is struck with a profound sigh, or noisy cruciation which follows the pronouncing of some one of the ninety-nine epithets of God; such as *Ya rani!* Source of riches! *Ya sabhas!* O most to be praised! *Ya maffour!* O impene-trable! If a man sells bread in the streets, he does not cry bread, but exclaims *Allah Kerim,* God is liberal. If he sells water, he cries, *Allah djawad,* God is generous; and so of other articles. The usual form of salutation is, *God preserve thee;* and of thanks, *God protect thee:* in a word God is in every thing, and every where. These men then are very devout, says the reader? Yes, but without being the better in consequence of this devotion, for I have already observed, their zeal is no other than a spirit of jealousy, and contradiction arising from the diversity of religions; since in the Christian a profession of his faith is a bravado, an act of independence; and in the Mahometan, an act of superiority and power. This devoutness, therefore, merely the offspring of pride and profound ignorance, is no better than a fanatic superstition, and

the source of innumerable disorders.

“There is still another characteristic in the exterior of the Orientals, which attracts the attention of an observer: I mean their grave and phlegmatic air in every thing they do, or say. Instead of that open and cheerful countenance, which we either naturally possess or assume, their behaviour is serious, austere, and melancholy; they rarely laugh, and the gaiety of the French appears to them a fit of delirium. When they speak, it is with deliberation, without gestures, and without passion; they listen without interrupting you; they are silent for whole days together, and by no means pique themselves on supporting conversation. If they walk, it is always leisurely, and on business; they have no idea of our troublesome activity, and our walks backwards and forwards for amusement. Continually seated, they pass the whole day musing, with their legs crossed, their pipes in their mouths, and almost without changing their attitude. It should seem as if motion were a punishment to them, and that, like the Indians, they regard inaction as essential to happiness.”

“I have said that the Orientals, in general, have a grave and phlegmatic exterior, a stayed and almost listless deportment, and a serious, nay, even sad and melancholy countenance. Were the climate or the soil the radical cause of this, the effect would be the same in every individual. But that is not the case; under this general character, there are a thousand peculiar minute varieties in different classes and individuals, arising from their situation, relative to the influence of government, which differs in its effects on these classes,

and these individuals. Thus we observe that the peasants subject to the Turks are more gloomy than those of the tributary countries; that the inhabitants of the country are less gay than those of the towns; and that those on the coast are more cheerful than such as dwell at a greater distance from it; that in the same town, the professors of the law are more serious than the military, and these again more so than the people. We may even remark, that, in the great cities, the people have much of that dissipated and careless air they usually have with us; because there, as well as here, inured to suffering from habit, and devoid of reflection from ignorance, they enjoy a kind of security. Having nothing to lose, they are in no dread of being plundered. The merchant, on the contrary, lives in a state of perpetual alarm, under the double apprehension of acquiring no more, and losing what he possesses. He trembles lest he should attract the attention of rapacious authority, which would consider an air of satisfaction as a proof of opulence, and the signal for extortion. The same dread prevails throughout the villages, where each peasant is afraid of exciting the envy of his equals, and the avarice of the Aga and his soldiers. In such a country, where the subject is perpetually watched by a despoiling government, he must assume a serious countenance for the same reason that he wears ragged clothes, and makes a parade of eating cheese and olives. The same cause, though it has a less influence on the lawyers, is not, however, without its effect on them; but the insolence in which they have been educated, and the pedantry of their manners,

render it unnecessary to assign any other.

“With respect to their indolence, it is not surprising that the inhabitants of the cities and the country, fatigued with labour, should have an inclination to repose. But it is remarkable, that when these people are once in action, they exert themselves with a vivacity and ardour almost unknown in our climates. This is more particularly observable in the sea-ports and commercial towns. An European cannot but admire with what activity the sailors, with their naked arms and legs, handle the oars, bend the sails, and perform every manœuvre; with what ardour the porters unload a boat, and carry the heaviest couffes. Always singing, and answering by couplets to one who directs their labour, they perform all their motions in cadence, and redouble their exertions by making them in time. It has been said, on this subject, that the inhabitants of hot countries have a natural propensity to music; but in what consists its analogy with the climate? Would it not be more rational to say, that the hot countries we are acquainted with, having made a considerable progress in improvement and knowledge long before our cold climates, the people have retained some traces of the fine arts which were formerly cultivated among them. Our merchants frequently reproach this people, and especially those of the country, with not labouring so often, nor so long, as they are able. But why should they labour beyond their wants, since the superfluity of their industry would procure them no additional enjoyments? In many respects, a man of the lower class of people resembles

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the savages ; when he has expended his strength in procuring a subsistence, he takes his repose ; it is only by rendering that subsistence less difficult to acquire, and by exciting him with the temptation of present enjoyments, that he can be induced to exert an uniform activity ; and we have seen, that the Turkish government is of a directly contrary tendency. As to the sedentary life of the natives, what motives has a man to bestir himself in a country where the police has never thought either of laying out walks, or encouraging plantations ; where there is no safety without the towns, nor pleasure within their precincts ; where every thing, in short invites to stay at home ? Is it astonishing that such political maxims should have produced sedentary habits ? and must not these habits, in their turn, become the causes of inaction ?

“ The comparison of our civil and domestic state, with that of the Orientals, will furnish still further reasons for that phlegm which constitutes their general character. One of the chief sources of gaiety with us, is the social intercourse of the table, and the use of wine. The Orientals are almost strangers to this double enjoyment. Good cheer would infallibly expose them to extortion, and wine to a corporal punishment, from the zeal of the police in enforcing the precepts of the Koran. It is with great reluctance, that the Mahomedans tolerate the Christians in the use of a liquor they envy them ; wine, therefore, is not habitual or familiar, except in the Kefsrouan, and the country of the Druses ; and their repasts there have a cheerfulness which brandy does not procure even in the cities of Aleppo and Damascus.

“ A second source of gaiety among us, is the free intercourse between the two sexes, which prevails more particularly in France. The effect of which is, that even without any particular views, the men endeavour to obtain the good opinion of the women, and study to acquire the manners most likely to ensure it. Now, such is the nature, or such the education of the sex, that the first merit in their eyes is to be able to amuse them ; and nothing is so certain of succeeding with them, as sprightliness and mirth. Hence we have contracted a habit of trifling, politeness and frivolity, which is become the distinguishing character of the French nation in Europe. In Asia, on the contrary, the women are rigorously secluded from the society of men. Constantly shut up in their houses, they have no communication but with their husband, their father, their brother, or at most with their cousin german. Carefully veiled in the streets, they dare hardly speak to a man, even on business. Every body must be strangers to them ; it would be indecent to fix your eyes on them, and you must let them pass you, as if they were something contagious in their nature. And indeed this is nearly the idea of the Orientals, who entertain a general sentiment of contempt for that sex. It may be asked, what is the cause of this ? The same which operates one very thing ; the laws and government. In fact, Mahomet, passionately fond as he was of women, has not, however, done them the honour of treating them in his Koran as appertaining to the human species ; he does not so much as make mention of them either with respect to the ceremonies of religion, or the rewards of another life ; and it is

even a sort of problem with the Mahometans, whether women have souls. The government is still more unjust towards them; for it denies them the possession of any landed property, and so completely deprives them of every kind of personal liberty, as to leave them dependent all their lives on a husband, a father, or a relation. In this state of slavery, having nothing at their disposal, we cannot suppose it very necessary to solicit their favour, or to adopt that gaiety of manners they find so captivating. The government and laws are, no doubt, the efficient cause of this sequestration of the women; and, perhaps, were it not for the facility of divorces, and the dread of seeing a wife or daughter carried off by some powerful man, the Asiatics would be less anxious to conceal them from strangers.

This situation of the women among the Orientals, occasions a great contrast between their manners and ours. Such is their delicacy on this head; that they never speak of them; and it would be esteemed highly indecent to make any enquiries of the men respecting the women of their family. We must be considerably advanced in familiarity with them, to enter into a conversation on such a subject; and when we then give them some account of our manners, it is impossible to express their amazement. They are unable to conceive how our women go with their faces uncovered, when, in their country, an uplifted veil is the mark of a prostitute, or the signal for a love adventure. They have no idea how it is possible to see them, to talk with them, and touch them, without emotion, or to be alone with them without proceeding to the last extremities. This

astonishment will sufficiently shew what opinion they entertain of their females; and we need not hesitate to conclude they are absolutely ignorant of love, in our sense of the word. That desire on which it is founded, is with them stripped of all those accessories which constitute its charm; privation is there without a sacrifice, victory without a combat, and enjoyment without delicacy; they pass at once from torment to satiety. Lovers there are prisoners, always watching to deceive their keepers, and always alert to seize the first opportunity, because it seldom happens, and is soon lost. Secret as conspirators, they conceal their good fortune as a crime, because it is attended with no less fatal consequences. Indiscretion can scarcely avoid the point-blank, the pistol, or poison. Its destructive consequences to the women render them implacable in punishing, and to revenge themselves, they are frequently more cruel than their husbands and their brothers. This severity preserves a considerable degree of chastity and decorum in the country; but in the great towns, where there are more resources for intrigue, as much debauchery prevails as among us; only with this difference, that it is more concealed. Aleppo, Damascus, and above all, Cairo, are not second in this respect to our provincial capitals. Young girls are reserved there as every where else, because the discovery of a love adventure would cost them their lives; but married women give themselves up to pleasure with the more freedom, to indemnify themselves for the long and strict restraint they have endured, and because they have often just reasons for revenging themselves on their masters. In fact, from the practice

tice of polygamy permitted: by the Koran, the Turks, in general, are enervated very early, and nothing is more common than to hear men of thirty complaining of impotence. This is the malady for which they chiefly consult the Europeans, desiring them to give them *madjoun*, by which they mean provocatives. This infirmity is the more mortifying to them, as sterility is a reproach among the Orientals: they still retain for fecundity all the efficacy of ancient times; and the best wish you can make a young girl, is that she may soon get a husband, and have a great number of children. From this prejudice they hasten their marriages so much, that it is not rare, to see girls of nine or ten years old married to boys of twelve or thirteen. It must however be confessed, that the apprehensions of libertinism, and the severity with which that is punished by the Turkish police, greatly contribute to these premature unions, which must likewise be reckoned among the causes of their early impotence. The ignorance of the Turks will not suffer itself to be persuaded on this head, and they are so irrational as to force nature, at the very time their health is impaired by excess. This also is to be ascribed to the Koran, in which the amorous prophet has taken care to insert a precept inculcating this species of duty. Montesquieu, therefore, is in the right, to assign polygamy as one of the causes of depopulation in Turkey; but it is one of the least considerable, as there are few but the rich who allow themselves a plurality of women; the common people, and especially those of the country, content themselves with one; and persons are sometimes to be met with, even among the higher ranks,

who are wise enough to imitate their example, and confess that one wife is quite sufficient.

“What we are able to learn of the domestic life of the husbands who have several wives, is neither calculated to make their lot envied, nor to give a high idea of this part of Mahomet’s legislation. Their house is a perpetual scene of tumult and contention. Nothing is to be heard but quarrels between the different wives, and complaints made to the husband. The four legal married women complain that their slaves are preferred to them; and the slaves, that they are abandoned to the jealousy of their mistresses. If one wife obtains a trinket, a token of favour, or permission to go to the bath, all the others require the same, and league together in the common cause. To restore peace, the polygamist is obliged to assume the tone of a despot, and from that moment he meets with nothing but the sentiments of slaves, the appearance of fondness and real hatred. In vain does each of these women protest she loves him more than the rest; in vain do they fly, on his entering the apartments, to present him his pipe and his slippers, to prepare his dinner, to serve him his coffee; in vain, whilst he is effeminately stretched out upon his carpet, do they chase away the flies which incommode him; all these attentions and caresses have no other object than to procure an addition to their trinkets and moveables, that if he should repudiate them, they may be able to tempt another husband, or find a resource in what becomes their only property. They are merely courtizans, who think of nothing but to strip their lover before he quits them; and this lover, long since deprived of desires,

fires, teized by feigned fondness, and tormented with all the listlessness of satiety, is far from enjoying, as we may well imagine, an enviable situation. The contempt the Turks entertain for their women, arises from this concurrence of circumstances, and it is evidently the effect of their own customs. For how should the women retain that exclusive love, which renders them most estimable, when so many share in the affections of their husband? How should they possess that modesty which constitutes their greatest virtue, when the most shocking scenes of debauchery are daily before their eyes? How, in a word, should they be endowed with the manners requisite to make them amiable, when no care whatever is taken of their education? The Greeks at least derive this advantage from religion, that, being permitted to take but one wife at a time, they enjoy more domestic peace, though perhaps without approaching nearer to real happiness.

“It is remarkable, that in consequence of the difference in religion, there exists between the Christians and Mahometans of Syria, and indeed of all Turkey, as marked a difference of character as if they were two distinct nations, living under different climates. Travelers, and our merchants, who on account of the habits of intimacy in which they live with both, are still better qualified to decide, agree that the Greek Christians are in general wicked and deceitful, abject in adversity, insolent in prosperity, and especially remarkable for levity and fickleness: the Mahometans, on the contrary, though haughty even to insolence, possess however a sort of goodness of heart, humanity, and

justice; and above all, never fail to manifest great fortitude under misfortune, and much firmness of character. This contrast between men, living under the same sky, may appear surprising; but the prejudices of their education, and the influence of the government under which they live, sufficiently account for it. The Greeks, treated by the Turks with all the haughtiness and contempt they shew to their slaves, cannot but at last assume the character perpetually ascribed to them: they have been obliged to practise deceit, to escape from violence by cunning, and they have recourse to the meanest flatteries, because the weak must ever court the strong; they are dissemblers and mischievous, because he who cannot openly revenge himself, disguises his hatred; cowardly and treacherous, since he who cannot attack in front, naturally strikes behind; and insolent in prosperity, because they who attain wealth or power unworthily, are eager to revenge themselves by returning all the contempt they have received in the pursuit. I was one day observing to a very sensible monk, that among all the Christians, who in more modern times have been advanced to eminent stations in this country, not one of them has shewn himself worthy of his good fortune. Ibrahim was meanly avaricious; Sad-el-Kouri irresolute and pusillanimous, his son Randour, ignorant and insolent, and Rezk, cowardly and deceitful: his answer was, word for word, as follows: “the Christians have not hands proper to manage the reins of government, because, during their youth they have been continually employed in beating cotton. . . They resemble those who walk for the first time on high terraces, they grow giddy at seeing them-

themselves so exalted, and as they are afraid they shall be forced to return to their olives and cheese, they are in haste to make all the profits they can. The Turks, on the contrary, are accustomed to govern; they are masters habituated to their authority, and use it as if there was no fear of their being deprived of it." We must not forget, at the same time, that the Mahometans have the prejudices of fatalism instilled into them from their birth, and have a full persuasion that every thing is predestined. Hence they experience a security which moderates both desire and fear, and a resignation by which they are equally prepared for good and evil; they are habituated in a kind of apathy, which equally prevents them from regretting the past or providing against the future. Does the Mahometan suffer by any misfortune? is he plundered? is he ruined? he calmly says, "It was written," and submits, without a murmur, to the most unexpected transition from opulence to poverty: even on the bed of death, nothing disturbs the tranquillity of his resignation, he makes his ablution, repeats his prayers, professes his belief in God, and the prophet; he tranquilly says to his son, "Turn my head towards Mecca," and dies in peace. The Greeks, on the contrary, who believe that God may be prevailed on to change his purpose, by vows, fasting, prayer, and pilgrimages, live in the perpetual desire of obtaining some new blessing, the fear of losing some good they already possess, or tormented by regret for some duty omitted. Their hearts are a prey to every contending passion, nor do they avoid their destructive effects; but so far as the circumstances in which they live,

and the example of the Mahometans enfeeble the prejudices of their childhood. We may add a remark equally true of both religions, that the inhabitants of the inland country have more integrity, simplicity, and generosity, and are in every respect of more amiable manners, than those upon the sea-coast, no doubt because the latter, continually engaged in commerce, have contracted, by their mode of life a mercantile spirit, naturally inimical to all those virtues which are founded on moderation and disinterestedness.

"After what I have said of the manners of the Orientals, we shall be no longer astonished that their whole character partakes of the monotony of their private life, and of the state of society in which they live. Even in the cities where we see most activity, as Aleppo, Damascus, and Cairo, all their amusements consist in going to the bath, or meeting together in coffee-houses, which only resemble ours in name. There, in a large room, filled with smoak, seated on ragged mats, the wealthier class of people pass whole days in smoaking their pipes, talking of business, in concise phrases, uttered at long intervals, and frequently in saying nothing. Sometimes the dullness of this silent assembly is relieved by the entrance of a singer, some dancing girls, or one of those story-tellers they call *washid*, who, to obtain a few paras, relates a tale, or recites verses from some ancient poet. Nothing can equal the attention with which they listen to this orator; people of all ranks have a very extraordinary passion for this species of amusement. A European traveller is not a little surprised to see the Turkish sailors, when the weather is calm, assemble

on the deck, and attentively listen for two or three hours together, to a declamation, which the most unexperienced ear must at once perceive to be poetry, from the exactness of the measure and the continually recurring rhymes. It is not in this alone that the common people of the East excel ours in delicacy. The populace even in the great cities, notwithstanding the turbulence of their dispositions, are never so brutal as we frequently see them with us, and they have the great merit of not being addicted to drunkenness, a vice from which even our country peasants are not free. Perhaps this is the only real advantage produced by the legislation of Mahomet; unless we may add the prohibition of games of chance, for which the Orientals have therefore no taste; chess is the only amusement of this kind they hold in any estimation, and we frequently find among them very skillful players.

“Of all the different species of public exhibitions, the only one they know, and, which is common at Cairo alone, is that of strollers, who shew feats of strength, like our rope-dancers, and tricks of slight of hand like our jugglers. We there see some of them eating flints, others breathing flames, some cutting their arms, or perforating their noses, without receiving any hurt, and others devouring serpents. The people, from whom they carefully conceal the secrets of their art, entertain, a sort of veneration for them, and call these extraordinary performances, which appear to have been very ancient in these countries, by a name which signifies prodigy or miracle. This propensity to admiration, and facility of believing the most extraordinary facts or tales, is a remarkable fea-

ture in the character of the Orientals. They admit, without hesitation or the least shadow of doubt, the most wonderful things that can be told them, and if we regard the tales current among them, as many prodigies happen every day as have been ascribed to the age of the genii and fairies; the reason of which no doubt is, that being totally ignorant of the ordinary course of physical and moral causes, they know not the limits of probability and impossibility. Besides, having been accustomed from their earliest youth to believe the extravagant fables of the Koran, they are wholly destitute of any standard of analogy, by which to distinguish truth from falshood. Their credulity therefore arises from their ignorance, the imperfection of their education, and the nature of government. To this credulity the extravagance of imagination which some have so much admired in their romances, is in a great measure to be attributed; but though they were deprived of this source, their works would still possess many brilliant ornaments. In general, the Orientals are remarkable for a clear conception, an easy expression, a propriety of language in the things they are acquainted with, and a passionate and nervous style. They have particularly a taste for moral sentences, and their proverbs shew they know how to unite the justness of observation, and profundity of the thought to an ingenuity and force of expression. Their conversation appears at first to have a sort of coldness, but when we are more accustomed to it, we find ourselves greatly attached to them. Such is the good opinion with which those who have had most communication with them have been impressed, that the greater part of our travel-

lers and merchants, who have known them best, allow that they find in them a people of a more humane and generous character, and possessing more simplicity, and more refined and open manners, than

even the inhabitants of European countries; as if the Asiatics, having been polished long before us, still preserved the traces of their early improvement."

The FAMILY OECONOMY of the GIPSIES.

[From GRELLMANN's Dissertation on the GIPSIES, translated from the German by MATTHEW RAPER, esq. F.R.S. and A.S.]

THAT these people are still the unpolished creatures that rude nature formed them; or, at most, have only advanced one degree towards humanity, is evinced, among other circumstances by their family oeconomy.

"Many of them are stationary, having regular habitations, according to their situation in life. To this class belong those who keep public houses in Spain, and others who follow some regular business in Transylvania and Hungary, which latter, have their own miserable huts near Hermanstadt, Cronstadt, Bistritz, Grosswardein, Debrezin, Eperies, Karchau, and other places. There are also many slaves to particular bojars, in Moldavia and Wallachia, who do not wander from their place of residence any more than the others. But by far the greatest number of these people, lead a very different kind of life: ignorant of the comforts attending a fixed place to live at, they wander from one district to another in hords, having no habitations, but tents, holes in the rocks, or caves; the former shade them in summer, the latter screen them in winter. Many of these savage people, particularly in Ger-

many and Spain, do not even carry tents with them, but shelter themselves, from the heat of the sun, in forests, shaded by the rocks, or behind hedges: they are very partial to willows, under which they erect their sleeping place, at the close of the evening. Some live in their tents (in their language called *eschatér*) both summer and winter; which they generally prefer to every thing else. In Hungary, even those who have given up their rambling way of life, and built houses for themselves, seldom let a spring pass, without taking advantage of the first settled weather, to set up a tent for their summer residence; under this each one enjoys himself, with his family, nor thinks of his house, till the winter returns, and the frost and snow drive him back to it again.

"When he can get it, the wandering Gipsy, in Hungary and Transylvania, has an horse; in Turkey, an ass serves to carry his wife, a couple of children, with his tent. When he arrives at any place he likes, near a village or city, he unpacks, pitches his tent, ties his animal to a stake to graze, and remains some weeks there: or if he does not find his station convenient

venient, he breaks up in a day or two, loads his beast, and looks out for some more agreeable situation, near some other town. Indeed, he has it not always in his power to determine how long he shall remain in the same place; for the boors are apt to call upon him, on account of fowls and geese, he has made free with. It sometimes happens, when he is very much at his ease, they fall out with bludgeons or hedge-stakes, making use of such forcible arguments, that he does not hesitate a moment, to set up his staff a little further off. Though, in general, the Gipsies are cunning enough, when they have purloined any thing, or done other mischief, to make off in time, before the villagers begin to suspect them.

“ For their winter huts they dig holes in the ground, ten or twelve feet deep, their roof is made of rafters laid across, which are covered with straw and fods: the stable, for the beast which carried the tent in summer, is a shed built at the entrance of the hollow, and closed up with dung and straw. This shed, with a little opening, rising above the roof, to let out the smoke, are the only marks by which a traveller can distinguish their dwellings. Both in summer and winter, they contrive to have their habitation in the neighbourhood of some village or city. Their favourite method of building is against an hillock, the holes in the level ground being only used in cases of necessity, when there is no rising ground near the spot they have pitched upon to pass the winter at. An Hungarian writer thus describes their method of constructing the second sort of huts. “ They dig an hollow, about a fathom broad, far enough into the hillock to bring their floor on a level with

the rest of the plain, in order to form a firm upright wall, for the back of the building. Into the wall they fix a beam, about six feet from, and parallel to the floor, this beam reaches as far as the intended depth of the house, seldom exceeding seven or eight feet. One end being fast in the wall, the other rests on, and is fixed to, a pillar or post driven into the ground. When that is done, they lay boards, balks, or such other such wood as they can find, against it on each side, in form of a pointed roof, which viewed from a distance, exhibits a front in the shape of an equilateral triangle. The operation is concluded by covering the whole building with straw, fods, and earth, to secure its inhabitants from the rain, snow and cold. They always contrive, when they can, to place their edifice so as to front either the rising or mid-day sun; this being the side where the opening is left, for a door to go in and out at, which is closed at night, either with a coarse woollen cloth, or a few boards.”

“ One may easily imagine, how dismal and horrid, the inside of such gipsy huts must be. Air and daylight excluded, full of damp, stink, and filth, they have more the appearance of wild beasts dens than the habitations of intelligent beings: Rooms and separate apartments are not even thought of; all is one open space, in the middle whereof is the fire, serving both for the purpose of cooking and warming them; the father and mother lie half naked, the children entirely so, round in Chairs, tables, beds or bedsteads, find no place here; they sit, eat, sleep, and do every thing on the bare ground, or, at most, spread an old blanket, or, in the Banat, a sheep-skin under them. When they have

have a fine day, the door is set open for the sun to shine in, which they continue watching, so long as it is above the horizon; when the day closes, they shut their door, consign themselves over to rest, and sleep till its return. When the weather is cold, or the snow prevents their opening the door, they make up the fire, sit round it till they fall asleep, without any more light than it affords.

"The furniture and property of the gipsies have been already described; they consist of an earthen pot, an iron pan, a spoon, a jug and a knife; when it so happens, that every thing is complete, they sometimes add a dish: these serve for the whole family. When the master of the house is a smith by trade, as will be mentioned by and bye, he has a pair of bellows to blow up his fire, a small stone anvil, a pair of tongs, perhaps a couple of hammers, add to these a few old tatters, in which, as before mentioned, he dresses himself, his knapsack, some pieces of torn bed-cloaths, his tent, his antiquated jade, and you have a complete catalogue of a nomadic Gipsy's estate.

"There is very little to be said concerning the domestic employment of the women, the care of their children is little, indeed hardly any at all. They neither wash, mend their cloaths, nor clean their utensils, they seldom bake, the whole of their business then, is reduced to these few articles: dressing their food and eating it, smoking tobacco, prating, and sleeping. They continue the whole winter in their hut, but at the first croaking of the frogs, they pull down their house and march off.

"Such is the condition of the Gipsies who wander about in Hun-

gary, Turkey, and other countries, being no where, or rather every where, at home. The remainder of these people, who have reconciled themselves to a settled way of life, are in much better circumstances, and vastly more rational, than those I have just described. It might be reasonably expected, that those Spanish Gipsies, who are innkeepers, and entertain strangers, should be more civilised, but it also holds good, with regard to those in Hungary and Transilvania, who have different ways of gaining a livelihood. Their habitations are conveniently divided into chambers, are likewise furnished with tables, benches, decent kitchen-furniture, and other necessities. The few who farm or breed cattle, have a plough and other implements of husbandry, the others in a certain degree what is wanted for carrying on their trade; though even here you are not to expect superfluity. Their habitations, cloaths, as well as every thing else belonging to them, indicate, that even these belong to the class of poor. They are very fond of gold and silver plate, particularly silver cups, which is a disposition they have in common with the wandering Gipsies. They let slip no opportunity of acquiring something of the kind, they will even starve themselves to procure them. Though they seem little anxious to heap up riches for their children, yet these frequently inherit a treasure of this sort, and are obliged in their turn to preserve it as a sacred inheritance. The ordinary travelling Gipsies, who are in possession of such a piece of plate, commonly bury it under the hearth, of their dwelling, in order to prevent its being made away with. This inclination to deprive

[80] OCCUPATIONS and EMPLOYMENTS of the Gipsies.

one's self of necessities, that we may possess a superfluity, as well as many other of their customs, is curious : yet appears to be ancient, and it was probably inherent in them when they were first seen by Europeans."

Their OCCUPATIONS and EMPLOYMENTS.

[From the same Work.]

"I COME now to the means, the Gipsies make use of, to maintain themselves. Here we shall discover the reason why poverty and want are, so generally, their lot : it is owing to their laziness, and being so fond of their ease. If you want to find people who can earn their bread by the sweat of their brow, you must certainly not seek them among the Gipsy tribe. They abhor all kinds of work, which are either laborious or require application : and had rather suffer hunger and nakedness, than exert themselves to procure food and raiment on such hard terms. They therefore either chuse some trade, which is easily carried on, allowing them many idle hours, or addict themselves to unlawful courses, as any body may easily be convinced.

"Black and white smiths are the most usual trades among the gipsies ; in Spain very few follow any regular business, but among these few, some are smiths ; on the contrary, in Hungary, this trade is so common among them, that it is a proverb, so many Gipsies, so many smiths ; the same might be said of those in Transilvania, Wallachia, Moldavia, and all Turkey in Europe ; at least such workers in fire are very numerous in all those countries. This occupation seems to have been a favorite one

among them from the most distant periods, as appears not only by Bellonius's account, but by an older record, of an Hungarian king, Uladislaus, in the year 1496, mentioned by the abbé Pray, in his Annals, and Friedwaldsky, in his Mineralogy, wherein it is ordered, "that every officer and subject, of whatever rank or condition, do allow to Thomas Polgar, leader of twenty-five tents of wandering Gipsies, free residence every where, and on no account to molest either him or his people ; because they had prepared musket-bullets, and other military stores, for the bishop Sigismund, at Fünfkirchen." Another instance occurred in the year 1565, when Mustapha, Turkish regent of Bosnia, besieged Crupa, the Turks having expended their powder and cannon-balls, Gipsies were employed to make balls, part of iron, the rest of stone cased with lead.

"The Gipsies of our time, do not like to undertake heavy work, I do not find they go beyond a pair of light horse-shoes ; in general they confine themselves to small articles, such as rings, jews-harps, small nails, mend old pots and kettles, make knives, seals, needles, and sometimes work trifles in tin or brass.

"Their materials, tools, apparatus,

rusty, all are bad, and of the most inferior kind. Their common way is, to collect small pieces of rusty iron, old nails, broken horse-shoes, and such kind of rubbish, which they fuse and shape to their purpose. The anvil is a stone, the other implements are, a pair of hand bellows, a pair of pincers, a hammer, a vise, and a file: these are the materials a nomadic Gipsy carries with him from place to place. Whenever he has a mind to work, he is at no loss for fuel; on his arrival at a station, where he means to remain a few days or weeks, he takes his beast, loads him with wood, builds a small kiln, and manufactures his own coals. In good weather, the work is carried on out of doors; when it is stormy, or the sun too powerful, he retires under his tent. He does not stand, but sits down on the ground, cross-legged to his work; which position is rendered necessary, not only by custom, but the quality of his tools. The wife sits by to work the bellows, in which operation, she is sometimes relieved by the elder children; the little ones sit naked as they were born, round the fire. They are generally praised for their dexterity and quickness, notwithstanding the wretched tools they have to operate with. When any piece of work requires much time to finish, they are apt to lose their patience, and, in that case, become indifferent whether it be well executed or not. They never think of labour, as long as they have got dry crust, or any thing else to satisfy their hunger. They frequently have orders for different articles, but, if not, as soon as a few nails, or some other trifles are manufactured, man, woman, and children dislodge to carry their merchandise, on horse to house, for sale, in 1787.

the neighbouring villages; their traffick is carried on sometimes for ready money, sometimes by barter for eatables or other necessaries.

“Another branch of commerce much followed by the Gipsies is horse-dealing. In those parts of Hungary where the climate is so mild, that horses may lie out all the year, the Gipsies avail themselves of this circumstance to breed, as well as deal in horses: by which they, sometimes, not only procure a competency, but grow rich. This last sort are not very numerous, for the greatest number of them only deal in blind worn out jades, which they drive about to different markets, to sell or barter. When not fortunate enough to find a chap for them, they lead them to the collar-maker, who values the hide, and takes him off their hands for a few groschens. In order to avoid being reduced to this necessity, they often practice the slyest tricks to conceal the animal's defects. In Spain therefore, *Gitano* and *Gitaneria* (Gipsy and Gipsesin) are grown into common expressions, to imply a cheater in horses with the tricks he makes use of. In the year 1727, they became so notorious in Sweden, that it was taken into consideration at the diet, and their total expulsion voted to be a necessary measure. The following trick is frequently played in Hungary, and the adjacent country, to make an horse appear brisk and active. The rider alights, at a small distance from the place where he means to offer his horse for sale, and belabors the poor beast, till he has put the whole muscular system in motion with fright, he then mounts again and proceeds. The poor beast, recollecting the blows he has received, jumps about, or sets out full speed, at the least signal; the buyer,

buyer, entirely ignorant of the preparatory discipline he has undergone, look upon this as natural vivacity, and in hopes that good feeding with care, will render him still more lively, strikes a bargain; but the next day he has the mortification to discover, that he has bought a jade, on which all his care will be thrown away, as the beast has not a leg to stand upon. In Swabia and on the Rhine, they have another device; they make an incision in some secret part of the skin, through which they blow the creature up, till he looks fleshy and plump, they then apply a strong sticking plaister, to prevent the air from coming out again. If what Wolfgang Franz assures us, be true, they sometimes make use of another device with a live eel, to this blown up horse, that he may not only appear in good condition, but spirited and lively. One would imagine, that on account of these, and such like pieces of roguery, nobody would ever venture to deal with a Gipsy for an horse, was not the possibility of it proved by the fact itself. But we see instances of this infatuation in other transactions: it is well known that every Jew will cheat, whenever he has an opportunity, yet these people have lived by trade, ever since their dispersion from Babel. Then these frauds do not constantly happen; the Gipsies too always sell their horses cheap, and poor people cannot afford to pay dear for them, which is the reason that the Gipsies can continue their traffick in horses.

“To the above two trades, commonly followed by the men, may be added; that some are carpenters or turners; the former make watering troughs and chests, the latter turn trenchers; dishes, make spoons and other household furniture, which they

hawk about. Others make sieves, or maintain themselves by cobbling shoes. Many of these, as well as the blacksmiths and whitesmiths, find constant employment in the houses of the better sort of people, for whom they work the year round. They are not paid in money; but, besides other advantages, find a certain subsistence. Those who are not thus provided for, do not wait at home, for customers, but throw their implements in a sack, over their shoulders, seeking business in the cities or villages: when anyone calls, they throw down the bundle, and prepare the apparatus for work, before the door of their employer.

The Gipsies have a fixed aversion to agriculture, and had rather suffer hunger or want, than follow the plough, to earn a decent livelihood, from the grateful earth. But as there is no general rule without an exception, so, besides the slaves to the Bojars, in Moldavia and Wallachia, who are constrained to apply to it, there are some in Hungary, who do it of their own accord. Since the year 1768, the empress Theresa has commanded, that the Hungarian and Transylvanian Gipsies should be instructed in husbandry, but these orders have been very little attended to. At this time there are so few of them farmers, in this country, that they are not worth mentioning, though in Spain, and other European countries, they are still more scarce, as it would be difficult to find one who had ever made a furrow in his life.

“It was formerly very common in Hungary, and in Transylvania, almost universally the custom, to employ the Gipsies for hangmen and executioners. They still perform the business of slayers in Hungary, and of executioners in different parts of Transylvania. Their assiduity in torturing,

torturing, their cruel invention in tormenting, are described by Toppeitau to be so shocking, as plainly proves no people so well calculated for works of barbarity as the Gipsies. Flaying is not their regular profession in any place, but merely a casual occupation, which they follow, over and above their smith's or other work. Whenever a beast dies, near where they chance to be, it is a fortunate circumstance, if there happens to be no skinner in the place; not because they can make much of the skin, which they always leave with the owner for a trifling consideration, but they are sure thereby to procure a plentiful provision of flesh for the family.

"Such are the men's employments. I shall now proceed to the women, and shew their particular methods of getting their bread. It was formerly, and still is the custom, among the wandering Gipsies, especially in winter, that the man does not maintain the wife, but the wife the husband. Where this is not quite the case, as in summer, when the men have the before recited occupations, or among those, who have a regular settlement, yet the women always endeavour to contribute their share towards the maintenance of the family: some deal in old cloaths, others frequent brothels, or let their persons out, in some other way, or hire. This is common in Spain, still more so in Constantinople, and all over Turkey: probably because, in other places, nobody likes to be connected with such uncleanly beings. There are others in Constantinople, who make and sell rooms, and this trade is followed by those, chiefly, who are too old to get a livelihood by their debauchery. Dancing is another means they have of getting something, they generally practise this when

begging, particularly from men in the streets, or calling in at houses asking charity. Their dances are the most disgusting that can be conceived, always ending with fulsome grimaces, or the most lascivious attitudes and gestures, uncovering those parts, which the rudest and most uncultivated people carefully conceal; nor is this indecency confined to the married women only, but is rather more practised by young girls, travelling with their fathers, who are also musicians, and for a trifling acknowledgement, exhibit their dexterity to any body, who is pleased with these unseemly dances. They are trained up to this impudence, from their earliest years, never suffering a passenger to pass their parents hut, without trying to get something, by frisking about naked before him.

"I shall not say any thing concerning fortune-telling, with which they impose on people's credulity, in every district and corner of Europe; this being a thing universally known. Yet it is extraordinary, that women, generally too not till they become old hags, should be so sharp-sighted, as to discover, in every person's hand, the dark mystery of futurity. A few instances there are of men being thus gifted, but they are so few, that they are only exceptions to a general rule. It is therefore owing to the Gipsy women alone, that faith in divination still remains, in the minds of millions of people. It is true, Europe is not originally beholden to the Gipsies for it, it being deep rooted in the stupidity of the middle ages, when they arrived and brought it with them also. This science was already brought to a greater degree of perfection than among them, rules were invented to tell lies from the inspection of the hand, whereas these

poor wretches were esteemed mere bunglers. During the last, and beginning of this century they were looked upon as only a supernumerary party; as there were men of great learning, who not only read lectures in college, on the divine art of chiromancy, but wrote many books, vilifying the Gipsies, and endeavouring to spoil their market by exposing their ignorance. But these enlightened men are no more, their knowledge is deposited in the dead archives of literature; and probably, if there were no Gipsies, with them would also have died the belief in chiromancy, in the same manner as, in astrology, necromancy, oneirocritica, and the other offsprings of fancy. By these alone, will this deceit be kept alive, till every Gipsy is constrained to acknowledge some country, and to have some ostensible mode of gaining a livelihood. We can only pity the poor deluded wretches, who pay their groschen or kreutzer, for a few unmeaning words; as if it were possible, for people to instruct us, concerning our future fortune in life, who are ignorant of their own; being unable to determine whether a day or two hence, they may still be telling fortunes, or taken up by the magistrates, and hanged for theft.

“ I must add to the chiromantic deception of the Gipsy women, that they also, but not exclusive of the men, cure bewitched cattle, discover thefts, and possess nostrums of various kinds, to which they ascribe great virtues. These nostrums consist principally of roots, and amulets made of unfermented dough, marked with strange figures, and dried in the air. Griseini says that, in the Banat of Temeswar, they sell certain small stones, chiefly a kind of scorix, which they

say possess the quality, to render the wearer fortunate in love, play, and other things. Were that true, they are the nearest, why deliver to another, what they have so much occasion for themselves? Why do they beg and steal, when, with the assistance of these stones, they might honorably acquire riches and good fortune? Yet these stones are purchased not only in the Banat, but in Germany. People use their quack medicines, call the Gipsy woman into the stable, to exorcise their bewitched cattle, without suspecting any trick, although the whole is founded on deceit. So the open-hearted farmer, in Suabia and Bavaria, has recourse to the Gipsies on many occasions, making use of them as doctors for man and beast: and constantly in cases of enchantment, flies to the Gipsy; this circumstance happens oftener among those of the common people, who rail most against witches and witchcraft. Whenever a cow does not feed kindly, something is immediately suspected, and the Gipsy woman is called, who is often so successful as to remove the complaint. She goes into the stable, orders the cow to be shown to her, remains a few minutes alone with it, after every one else is gone out: having finished her operations, she calls in the master, acquaints him with the beast's recovery, and behold it eats heartily. How happens this? Was it not a piece of enchantment, wherein the Gipsy really acted the magician? Certainly not. The fraud is this. When the cattle are feeding abroad, the Gipsy woman takes advantage of the keeper's absence to entice some of them with a handful of fodder to follow her, then smears them, over the nose and mouth, with some mastic, she has ready in the other hand.

band. From that moment the creature louts all kinds of food or drink, as every thing smells of the naſtineſs. When ſhe is called in to apply a remedy, the whole ſkill required, is to wipe off the ſtuff, ſhe had put on, a day or two before: by this means the true ſmell is reſtored, and the cow being hungry, it is no wonder ſhe ſhould fall to greedily. From this ſingle inſtance, a judgment may be formed of other caſes.

“ The common Gipſey occupations, wherein men and women take an equal ſhare, are, in Spain, keeping inns; principally muſic in Hungary and Turkey; and gold-waſhing in Tranſilvania, the Banat, Moldavia and Wallachia. They uſed, formerly, to be concerned in ſmuggling, and probably ſtill are, although it is not mentioned by any later writers,

“ Both men and women Gipſies, attend at entertainments, with their muſic, and ſhew great proſiciency in the art; beſides ſome wind inſtrument, they have generally a violin: many have attained to ſo great a perfection on that inſtrument, as to be employed in the chapels of the nobility, and admired as great maſters. *Barna Mihaly*, was an Orpheus of this kind, in the country of Zips, who diſtinguiſhed himſelf, about the middle of the preſent century, in the chapel of the Cardinal, Count *Emerick von Cſchaky*. The Cardinal, who was a judge of muſic himſelf, had ſo great a value for him, that he rendered his likenefs immortal, by one of the moſt capital painters. Such inſtances are not wanting in the other ſex; it is well known that a Gipſey girl, was ſo famous, as a ſidler, at fourteen years of age, that the richeſt and moſt fashionable people in Hungary, uſed to ſend twenty or thirty miles, for

her, to play at their balls. There are likewiſe many ſcrapers, to whom Zeiller's words are applicable, “ that their muſic has a diſmal ſound.” But theſe are generally ſuch as have learned of other ſcrapers, at their own expence. This kind travel about, with the dancers above mentioned, or play to the peaſants, who, not having much taſte, always make them welcome at their weddings, or dances. They ſcratch away on an old patched violin, or rumble on a broken baſs, neither caring about better inſtruments, nor minding to ſtop in tune, being what they are, more for want of application, than capacity. Others praſtiſe vocal muſic, and make their fortunes, particularly in Spain, by ſinging.

“ Goldwaſhing, in the rivers, is another occupation, by which many thouſand Gipſies, of both ſexes, procure a livelihood, in the Banat, Tranſilvania, Wallachia and Moldavia. As this is only a ſummer employment, they are under the neceſſity of finding ſome other method of maintaining themſelves, during the winter. It is not permitted for every one without exception, to be a goldwaſher: in Tranſilvania, ſuch only can do it, who have leave from the office of Mons; and theſe only enjoy the privilege under certain reſtrictions. It is the ſame in Wallachia and Moldavia, where none of the Bojar's ſlaves, thence called Bojareſk (Bojar Gipſies) are allowed to meddle with goldwaſhing, that being a liberty granted, only to thoſe who, like other ſubjects, are immediately under the prince, thence called Domneſk (princely Gipties) which are alſo ſubdivided into three claſſes; the firſt named *Rudar*; the ſecond *Urſar*; and the third *Lajaſchen*. The *Rudars* alone have the licence above mentioned; the two laſt are

obliged to get their livelihood in some other way. Each person is forced to pay a certain tribute to government. The goldwashers in Transilvania and the Banat, pay four guilders annually, which is discharged in gold dust: the same sum is due from every Gipsy, though many evade it. They contrive to keep out of the way, when the time for payment comes on, particularly the Hungarian Gipsies.

"The art of goldwashing is brought to much greater perfection in Transilvania. In the description of it in those parts, it is said, that all the rivers, brooks, and even the pools which the rain forms, in Transilvania, produce gold; among these the Aranyosch is the richest, inasmuch, that historians in those countries, compare it to the Tagus and Padus. Besides the Wallachians, who live by the rivers, the goldwashers consist chiefly of Gipsies. They know, with the greatest exactness, where they can wash to advantage. Their apparatus for this work, is a crooked board, four or five feet long, by two or three broad, generally provided with a wooden rim on each side; over this they spread woollen cloths, and shake the gold sand mixed with water, upon it; the small grains remain sticking to the cloth, they wash these cloths in a vessel of water, then separate the gold by means of the trough. When they find larger particles of sand, in their washing, they have deeper channels made in the middle of their crooked boards, which stop the small pieces as they roll down: they examine these small stones afterwards, and pick some out, which are frequently found to have solid gold fixed in them.

"These are the customary transactions, and occupations of Gipsies,

in the different countries, and states of Europe. People must not imagine, that their smiths shops are continually resounding with the hammer, or that those of other professions, are so attentive to their callings, are to provide even a daily subsistence; nor to think of a comfortable maintenance. Their laziness, on the contrary, makes so many idle hours in the day, that their family is often reduced to the greatest distress; for which reason, begging or stealing, are by far more common methods, than diligence and assiduous application to business, for quieting their hunger. If you except soldiers, who are kept in order by the discipline of the corporal, with some of the Transilvanian goldwashers, who apply to music, and living separate from their own cast, in constant habits of intercourse with people of a better sort, have thereby acquired more civilized manners, and learned the distinction, if not between right and wrong, at least between social honour and disgrace, the remainder are in the most unlimited sense, arrant thieves. They seem only to make a pretence of working, in order the better to carry on their thieving, as the artifices which they prepare for sale, in the cities and villages, furnish an excellent blind, for sneaking into houses, to pry where there is any thing which they may appropriate to themselves. This kind of artifice is particularly the province of the women, who have always been reckoned more dextrous than the men, in the art of stealing. They commonly take children with them, which are tutored, to remain behind, in the outer part of the house, to purloin what they can, while the mother is negotiating in the chamber. It is generally the women's office, to make away with the poor's goods

geese and fowls, when they are to be found in a convenient place. If the creature makes a noise when seized, it is killed and dressed for the consumption of the family, but if, by chance, it should have strayed so far, from the village, that its crying cannot give any alarm, they keep it alive, to sell at the next market town. Winter is the time when the women generally are most called upon to try their skill in this way : during that season, many of the men remain in their huts, sending the women abroad to forage. They go about under the disguise of beggars, in a very scientific manner, and commonly carry with them a couple of children, miserably exposed to the cold and frost ; one of these is led in the hand, the other tied in a cloth to the woman's back, in order to excite compassion, in well disposed people. They also tell fortunes, and impose on the credulous with amulets. Besides all this, they seldom return to their husbands without some pilfered booty. Many writers confine the thefts of Gipsies to small matters, and will not allow that they are ever guilty of violence. This is not only denied by the testimony of others, but absolutely contradicted by some recent instances. It is true that, on account of their natural timidity, they do not like to commit a robbery, which appears to be attended with great danger, nor often break open houses by night, as other thieves do : they rather content themselves with small matters, than, as they think, destroy themselves at once by a great and dangerous action. Yet we have more than one proof, that they make no scruple to murder a traveller, or plunder cities and villages."

GENERAL CHARACTER of the GERMANS.

[From the Third Volume of Baron RIESBECK's Travels through Germany.]

"THE peculiar turn of the Germans seems to be for philosophy ; they are distinguished from all the nations in Europe, for cool and just judgment, united with extreme industry ; they were the first who threw a light on mathematics and general physics ; next they darted through theology, then history, and finally, legislation, with the same philosophical spirit.— They will do well to leave to other nations the prize of wit, for which they will always contend in vain.

"If Germany could make itself one great people ; if it was united under one governor ; if the present interests of a single prince were not often in opposition to the good of the whole ; if all the members were so well compacted into one body, that the superfluous sap of the one could circulate and invigorate the rest, what much greater steps towards cultivation would the empire then make ! But thea Germany would give laws to all Europe. How powerful, as things even now are, are the two houses of Austria and Brandenburg, the greatness of whose strength consists in their German possessions, and who yet neither possess the half nor even the best parts of the country. Conceive this country in such a situation as that no burthenome excise should op-

press the internal commerce of the different provinces; no customs should prohibit exports all over the world; in such a situation as that the immense sums that it gives for outlandish commodities, which itself can furnish, should be spared—or that it could become a naval power, for which it has such ports and such plenty of provisions, that it could itself employ the numerous colonies it sends out to the rest of Europe:—conceive this—what country in the world could then cope with Germany?

“The character of men depends for the most part on their government. The character of the Germans has in general as little brilliancy in it as the constitution of the empire; they have none of the national pride and patriotism by which the Britons, Spaniards, and our own countrymen are distinguished; fond as their poets have been, for some time past, of ascribing these qualities to them. Their pride and patriotic sentiments only extend to the part of Germany in which they are born; to the rest of their countrymen they are strange as to any strangers, nay, in several parts of Germany, they are much sonder of strangers than they are of their own countrymen. It is the sense of weakness of the lesser powers of Germany which damps their national pride; it is only because Germany cannot use its power altogether, and that other nations feel their strength, that it has been despised by the inhabitants of other countries, who yet have nothing to

boast above it, save a sasser bond of union among themselves, or a ridiculous pride. We seldom judge of men of their inner worth, so much as from the external appearance they make in the world. We estimate the Russians, English, &c. according to the idea we have taken up of the whole nation; and though the individual may happen to be, as he often is, ten times more barbarous than a German, we give him credit for the same and worth of his illustrious countrymen.

“Though the character of the Germans be not so brilliant as that of other nations, still it is not destitute of its peculiar excellencies. The German is the man of the world. He lives under every sky, and conquers every natural obstacle to his happiness. His industry is inexhaustible. Poland, Hungary, Russia, the English and Dutch colonies, are much indebted to German emigrants. Even the first states in Europe owe to Germany great part of their knowledge. Rectitude is also an almost universal characteristic of the people of this country; nor are the manners of the peasants and those of the inhabitants of the lesser cities, by any means so corrupt as those of France and other countries; it is owing to this that, notwithstanding the great emigrations, the country is still so well peopled. To conclude, frugality on the side of the Protestants, and frankness and goodheartedness on the side of the Catholics, are brilliant national characteristics.”

CHARACTERISTIC PICTURE of the BAVARIANS,

[From the First Volume of the same Work.]

“ **A** Picture of the Bavarian character and manners by Hogarth, would be extremely interesting. Great singularity of character is often to be met with in England; but what Bavaria offers exceeds any thing to be seen elsewhere. You know I am no painter; so if I endeavour to point out to you the peculiarities of Bavaria in the abstract, my descriptions will have none of that life and expression which distinguish Hogarth's groups, or Shakespeare's scene; however I will do my endeavour.

“ To proceed methodically—for you cannot conceive what a method sticks to me in all I do, since I have breathed the air of Germany—I shall anatomize the body of the Bavarian, before I proceed to the analysis of his mind. In general the Bavarian is stout bodied, muscular, and fleshy. There are, however, some slender people among them who may pass for handsome. They are something less rosy cheeked than the Suabians, a difference probably arising from their drinking beer instead of wine, as the others do.

“ The characteristic of a Bavarian is a very round head, a little peaked chin, a large belly, and a pale complexion. Many of them look like caricatures of man. They have great fat bellies, short clubbed feet, narrow shoulders, a thick round head, and short necks. They are heavy and awkward in their carriage, and their small eyes betray a great deal of roguery. The women, in general, are some of the most beautiful creatures in the world. They are indeed something gross, but their

skin surpasses all the carnation ever used by painters: the purest lily white is softly tinged with purple, as if by the hands of the graces. I saw some peasant girls with such clear complexions, that they appeared quite transparent. They are well shaped, and more lively and graceful in their gestures than the men.

“ In the capital they dress in the French style, or at least imagine that they do so, for the men are still too fond of gold and mixed colours. The country people dress without any taste at all. The chief ornament of the men is a long, broad waistcoat, strangely embroidered, from which their breeches hang very low and loose, probably to give free play to their bellies, which is the chief part of a Bavarian. The women disguise themselves with a sort of stays in the shape of a funnel, which cover the breast and shoulders, so as to hide the whole neck. This stiff dress is covered with silver beads, and thickly overlaid with silver chains. In many places the housewife has a bunch of keys, and a knife appendant to a girdle, which reach almost to the ground.

“ As to the characters and manners of the Bavarians, the inhabitants of the capital naturally differ very much from the country people. The character of the inhabitants of Munich is a riddle to me, and would remain so if I were to stay here many years. I believe, indeed, that it may be truly said, that they have no character at all. Their manners are corrupt, as must be the case with forty thousand men who depend

depend intirely on a court, and for the most part go idle at its expence.

" Amongst the great nobles you meet here, as well as elsewhere, with very well bred, and polite people; but the people, taking the word in its full extent, are in an eminent degree destitute of any sense of honour, without education, without any activity for the state, attachment to the country, or generous feeling whatever. The fortunes of this place are from 1500 to three or four thousand pounds *per annum*, but the possessors know no other use of their money, than to spend it in sensual gratifications. Many good houses have been entirely ruined by play. The fashionable game at the court was formerly called *zuicken*, or *pinch*; but since Hombsch, the minister of finance, has pinched their salaries so confoundedly, they call it *Hombsch*. Many of the court ladies know of no other employment than playing with their parrots, their dogs, or their cats. One of the principalladies whom I am acquainted with, keeps a hall full of cats, and two or three maids to attend them: she converses half the day long with them, often serves them herself with coffee and sugar, and dresses them according to her fancy differently every day.

" The small nobles, and servants of the court, have a pitiable passion for titles. Before the present elector came here, the place swarmed with excellencies, honourable, and right honourable. As this was not the custom at Mannheim, an order was made to ascertain the different ranks of noblesse. All those whom it deprived of excellency, honourable, &c. and particularly, (would you think it?) the women, were sunk in despair, and for the first time, complaints were made of tyranny, of which none

before seemed to have any conception.

" The remainder of the inhabitants are immersed in the most scandalous debauchery. Every night the streets re-echo with the noise of drunkards issuing from the numerous taverns where they have been revelling and dancing. Whoever is at all noble here must keep his mistress; the rest indulge in promiscuous love. In this respect things are not much better in the country.

" Bavaria, indeed, well deserves the character given it by an officer of Gascony, of being the greatest brothel in the world.

" The country people are extremely dirty. A few miles distant from the capital, one would hardly take the hovels of the peasants for the habitations of men. Many of them have large puddles before the door of their houses, and are obliged to step over planks into them. The thatched roofs of the country people, in many parts of France, have a much better appearance, than the miserable huts of the Bavarian peasants; the roofs of which are covered with stones, in order that the slates may not be carried away by the wind. Mean as this looks, cheap as nails are in the country, and often as half the roofs are torn away by strong winds, yet cannot the rich farmer be persuaded to nail his shingles properly together. In short, from the court to the smallest cottage, indolence is the most predominant part of the character of the Bavarian.

" This great indolence is contrasted, in an extraordinary manner, with a still higher degree of bigotry. I happened to stroll into a dark, black country beer-house, filled with clouds of tobacco, and on entering was almost stunned with the noise
of

of the drinkers. By degrees, however, my eyes penetrated through the thick vapours, when I discovered the priest of the place in the middle of fifteen or twenty drunken fellows. His black coat was just as much bedaubed as the frocks of his flock, and like the rest of them, he had cards in his left hand, which he struck so forcibly on the dirty table, that the whole chamber trembled. At first, I was shocked at the violent abuse they gave each other, and thought they were quarrelling; but soon found that all the blackguard appellations which shocked me, were only modes of friendly salutation among them. Every one of them had now drank his fix or eight pots of beer, and they desired the landlord to give each a dram of brandy, by way, they said, of locking the stomach. But now their good humour departed, and I presently saw, in all their looks and gestures, the most serious preparation for a fray. This at length broke out. At first the priest took vain pains to suppress it. He swore and roared at last as much as the rest. Now one seized a pot and threw it at his adversary's head, another clenched his fist, a third pulled the legs from a stool to knock his enemy on the head. Every thing, in short, seemed to speak blood and death; when on the ringing of the bell for evening prayer, 'Ave Maria ye—!' cried the priest, and down dropped their arms, they pulled off their bonnets, folded their hands, and repeated their Ave Marias. It put me in mind of the adventure in Don Quixote, where peace is suddenly restored in the great fray, on account of the helmet of Mambrino, and the ass's collar, by the recollection of what passed in the Agramantine camp. As soon, however,

as prayers were over, they were all seized again with their former fury, which was the more violent, from the momentary interruption it had met with. Pots and glasses began to fly. I observed the curate creep under the table for security, and I withdrew into the landlord's bed-chamber.

"The same scenes occur in the inland towns among the citizens, officers, clergymen, and students. They all salute each other with abusive language; all vie in hard drinking; and close to every church, which are scarce less than 28,700, there is regularly a beer-house and a brothel. A student at the university of Ingolstadt must carry a thick cudgel, and wear a neat cut hair; he must be able to drink from eight to ten quarts of beer at a sitting, and be always ready to fight right or wrong, with the officers of the garrison that is quartered there. You may suppose that this does not tend to raise the reputation of the university, which is, indeed, but thinly visited, though the professors are able men, and do their duty, although a proclamation came out some years since, to forbid any Bavarian from studying out of the country.

"No pen can describe the ridiculous mixtures of debauchery and devotion which every day happen. The most notorious is that which took place in the church of St. Mary, Oettingen, a few years since, when a priest actually deflowered a girl whom he had long pursued, and could only make a prize of there before the altar of the Virgin.

"The country people join to their indolence and devotion a certain ferocity of temper, which often gives rise to bloody scenes. When they mean to praise a church holiday,

day, or some public festival which has lately been kept, they say, — such a one was a charming affair; there were six or eight people killed or made cripples at it. If nothing of this kind has been done, it is called a mere nothing, a fiddle-faddle business. In the last century, and the beginning of this, the Bavarian troops maintained the first reputation among the German forces. At the battle of Hockstedt, they kept their ground and imagined themselves victors, till the elector who led them was informed that the French had given way in the other wing. Under Tilly and Merci they likewise did wonders; but since the time of these generals, military discipline has so far relaxed amongst them, that they are no longer soldiers. Indeed no people can shew more abhorrence to every thing which is called discipline and order, than the Bavarians do. They might, however, still be useful as freebooters, whose robberies and all irregularities are more pardonable than those of regular troops. There are bands of robbers about, which are one thousand men strong, and would undoubtedly make good ravaging parties in time of war. There have been instances of their fighting against the military, under bold leaders, to the very last man. But the poorest peasant considers it as a hardship to be drafted into the regular troops of his prince.

“The inhabitants of the capital, on the other hand, are the most weak, timid, and subservient people in the world. They have no quickness of parts at all, and you will seek in vain in the town for that liberty, which sometimes indeed degenerates into coarseness of manners, but is still the most agreeable trait in the character of

the country people. Under the last government, while the people of Munich were crouching under a despotic minister, and only ventured to murmur in secret, the country people discovered their discontent with a freedom which threatened dangerous consequences. At the same time, an unbounded and inexpressible love for their prince prevailed on them to pull down the inclosures of their fields at the command of the master of the hounds, in order that the game might pasture there. They spoke with raptures of the amiable qualities of their lord; indeed they did not pass over his faults, but tried to excuse him for them, and loaded his servants, without reserve, with their heaviest curses, and thus gave every stranger a just idea of the court, while the inhabitants of the town, in the dedicatory addresses of books and poems, extolled the tyrants of the land to heaven. The country people judge as impartially of the present government. I should not, however, have obtained any account of the prince or his servants, if I had not got acquainted with some foreign artists belonging to the court, who were more interested in the state of them both than the natives, who were insatuated with their beer pots. Every shoe-black in Paris knows all the great people of the court, pries into their private life as well as their politics, and condemns or approves at discretion; but here you meet with many court-counsellors and secretaries, who know nothing of the great people, except their names. To conclude, the unadulterated Bavarian peasant is gruff, fat, dirty, lazy, drunken, and undisciplined; but he is brave, economical, patri-

otic,

CHARACTERISTIC PICTURE of the BAVARIANS. [93]

otic, and such a slave to his word, that which it has once been given it is never broke. As to his hatred of regular discipline, it is partly owing to the discouragement thrown upon the military way of life by the clergy, and partly to there being no provision for disabled soldiers. Something too arises from

the prince's not being military; for in the year 1778, when the imperial troops were recruiting at Straubingen, and carried about with them a picture of the emperor in his uniform, many of the natives immediately enlisted on hearing that the emperor was a soldier."

CLASSICAL

CLASSICAL AND POLITE CRITICISM.

OF THE GREEK COMPOSITION.

[From the Fourth Volume, on the Origin and Progress of Languages.]

“ I Come now to speak of composition in Greek, the most material thing in every language, and for the sake of which all the rest of the grammatical art is intended. It is almost needless to observe that by composition here I mean not that composition by which single words are formed, of which I have already treated, but that composition by which words are put together in sentences; as to which, I have already observed, that the chief beauty of it is variety; for, if it were always the same, though ever so beautiful, it would soon become disgusting. Now, the Greek language, expressing all the various connections of words by flexion, particularly by genders, numbers, and cases, admits of a wonderful variety of arrangement, in so much, that it is only indeclinable words that require to be connected by *juxta-position*. In this way, not only the ear must be greatly pleased, but I think I have shown, that, by the position of emphatical words in certain parts of the sentence, the sense is conveyed more forcibly than it could be otherwise; and, as the meaning,

where the composition is in periods or long sentences, cannot be divided and taken separately, but must be apprehended altogether or not at all, it is evident that the sense in that way comes upon the mind more close and embodied, as it were, and consequently more forcibly than when broken down, and frittered into small pieces.

This composition, so various, and so different from our uniform composition, and which, therefore, appears to us unnatural, is no doubt at first difficult to the young beginner, both in Greek and Latin. But it is surprising how soon it becomes easy to us, and even familiar; and, at last we despise every other kind of composition; which is the reason why the learned, after the restoration of learning, and for more than one hundred years after that, scorned to write in their *vernacular* language, which they considered to be fit only for *servants* or *slaves*, as the word denotes; but they wrote in Latin (sometimes in Greek), and conversed in Latin with one another. In Germany, they still write in
Latin

Latin upon any learned subject, though the Latin be not so good as might be wished. For my own part, if I could write in Latin as well as some of the scholars in England, and particularly my friend Sir George Baker physician in London, writing, as I do, not for the vulgar, I would never write in English, or in any modern language. When I was at a foreign university many years ago, I was in the habit of both speaking and writing Latin, and could do it tolerably well; but this faculty I have now lost, and I am too old, much too old, to recover it.—But to return to the subject.

“These long periods in Greek or Latin, so artificially arranged, and consisting of several members, various not only in the structure of the words but in the matter, (which should be the case of every long period well composed,) if they be not well read, with a proper variation of tone suitable to the difference of matter, will not be intelligible even to the most learned ears. But this very change of tone, at the same time that it makes the sense quite clear and distinct, gives a beautiful variety to the pronunciation, as we must be sensible from hearing well read the periods of Demosthenes or Milton.

“There is one thing remaining to be spoken to, which, in my apprehension, gave as great a flow to the Greek composition as any thing I have hitherto mentioned, and made them speak *ore rotundo*, more than any other people in the world. What I mean, is the use of so many particles, or little words, more by far than are to be found, I believe, in any other language in the world. By the flexion of nouns, adjectives, and verbs, words are connected together; but by these particles the

sense is connected, so that we know what is to follow by what goes before, and there is no gap or interval in the *flumen orationis*, any more than in a natural stream. Thus, when a *καὶ* goes before, we are sure that something is to follow that has the relation of opposition to the thing preceding, and which is marked by the correspondent particle *ἀλλ*; and, when a *τε* goes before, we are sure another conjunction is to follow, joining the subsequent thing to the preceding. The particle *οὖν* gives an emphasis to what follows, which we can hardly express in English even by a circumlocution.

—The particle *οὐ* serves a like purpose of raising the attention, though I think not so emphatically as *οὐκ*. It is the Dorick of *οὐ*, and answers to the Latin *tibi*, which is used by Lucretius in the same sense, where he says,

His *tibi* me rebus quædam divina voluptas
Percipit atque horror.—

“*Οὐ* I understand to be a particle which connects in the way of reasoning what follows with what goes before, importing that the one is a consequence of the other.

“*Τι* appears to me to be a limiting particle, restricting the generality of the word or proposition to which it is applied. Thus, the meaning of that common expression, *τις γὰρ δοκεῖ*, is, *I at least think so, whatever others may think*; and it may generally be rendered by *at least* in English.

“As the Greeks compound other words, so they compound those particles, and they say, *καὶτοι*, *καὶταυτα*, &c. all which, I am persuaded, have a meaning, but which it is very difficult to express in English or in any other language. And this

has

has inclined many to believe that the greater part of them had no meaning at all; but were employed merely to give a greater flow to the composition. But, though they certainly have that effect, I cannot believe that a people of so correct a taste as the Greeks would employ words, and so many of them too, merely for the sake of the sound, without any meaning, especially in their prose compositions, and in their orations, where they were speaking to the people upon business of the greatest importance. The learned world, therefore, I think, are much obliged to the German professor Hoegenville, who has endeavoured, and I think for the greater part successfully, to give a meaning to every one of them.

“ Being obliged, for the reason I have mentioned, to write in English, it often grieves me that I cannot give, both to my words and matter, the connection which the Greeks give by the means of these particles, so that my sentences, do what I can, are often as much unconnected, as if there were no connection in the matter.

“ If what I have said of the Greek composition be true, how wonderful must the orations of Demosthenes have been, spoken by himself, with all the graces of action and pronunciation? For, besides his action, in which he is allowed to have excelled, what pleasure to the ear must have given the melody and rhythm of his language, both much studied by him—the variety also of his artificial arrangement, his periods divided into members of different lengths, and containing matter of different kinds, and which, therefore, must have been spoken, as I have observed, with changes of tone—his style too, adorned with figures very different

from the figures now used, which stick out of the work and alter quite the colour of the style, such as *exclamation*, much used even by Cicero, and such as *epithets* which are the distinguishing characteristic of the poetic style, but of which the style of Demosthenes is almost entirely free, (for I have read whole orations of his, where there is not a single epithet); the figures he uses being such as escape the attention of the unlearned, and, though the learned perceive that they give an unusual cast to the style, yet they do not know what name to give them?—When I consider all these things, I say again that the orations of Demosthenes, pronounced by himself, not read even by Eschines, who, as he was a very good pleader, I suppose, was also a good reader, must have been a most wonderful thing, and of beauty so transcendent, that we cannot have any idea of it; or, if we could form an idea of it, we should not be able to imitate it, even in writing, much less in speaking, not having the materials upon which he wrought. In other arts, such as statuary, though we have the materials, yet all connoisseurs acknowledge that no modern artist has equalled the beauty of the ancient Greek statues; but, when a modern language is the materials upon which the writing artist must work, it is by nature impossible to equal the beauty of the Greek composition, as impossible as it would be to build a fine palace of rough unhewn pebbles.

“ Though Demosthenes excelled, I believe, all the men of his age in the art of pronunciation, yet an oration must first be well composed, before any pronunciation can make it please a man of sense and taste. Now, we know that Demosthenes applied as much to composition as

to pronunciation; and, as a model of composition, he studied the authors before him, particularly Thucydides, whom it is said he transcribed eight times with his own hand; but he has shown wonderful judgment in the imitation of him, for he has avoided his perplexed and involved periods, so much crowded with matter, that he was reckoned an obscure writer in the time of Dionysius the Halicarnassian, and, I believe, even when he wrote himself; nor do I think that Demosthenes could have been understood, even by the people of Athens, sensible and acute as they

were, if he had spoken to them in the stile of Thucydides; but he has imitated him with so much discretion, that, though he has diversified his stile by figures without name or number, yet he has not crowded them together so much as Thucydides has done; (for a stile may be too much varied as well as too much the same); nevertheless his stile, such as it is, is so much varied, and so artificial, that he was not well received at first by the people, I suppose because they did not perfectly understand him, till he had learned the art of pronouncing his own periods."

On the **STILE** of **HISTORY**.

[From the same Work.]

"**I** AM now to treat of the stile of history, according to the order I proposed to follow in this work. By history I mean not the history of flies or reptiles or of other animals, commonly called natural history; but the history of *man*, and not of particular men, but of nations: for I distinguish betwixt biography and history, as I distinguish betwixt an individual and the nation of which he makes a part.

"That the stile of history ought to be different from the stile of conversation or dialogue, of which I have already treated, or from the didactic, the rhetorical, and poetical, of which I am to treat, must be evident at first sight: and I am now to show wherein that difference consists.

"As the subject, or matter treated of, is principal in every work, the stile ought to be suitable to it. Now, the subject of history, is the

narrative of the transactions of a nation. Whatever therefore in history is not narrative, must be considered as not principal, but only episodical; and if the episodes are too long, or not belonging to the principal subject, and arising naturally out of it, the work is in that respect faulty. The question therefore is, what episodes are proper for history? How frequent? And how long continued?

"In the first place, I think it is evident, that philosophical reflections upon government, or political dissertations, are not the proper business of history, which, no doubt, furnishes a text for them; but it is not the business of the historian to be the commentator upon that text. This he ought to leave to the reader; and all that he has to do, is to give him a text exact and correct. I therefore take upon me to condemn all digressions of that kind, especially when they run out to any length,

length, such as the political reflections of Sallust upon the Roman state, in his introduction to *Cataline's conspiracy*, or his philosophical observations on human nature, in his preface to his *Jugurthine war*; both which might have been proper, if he had been writing a system of morals or politics, or might have been more excusable, if he had been writing a general history of the Roman state, but, I think, are very foreign to the history of single events in a nation, such as the conspiracy of Cataline, or the war of Jugurtha.

"But by what I have said, I would not be understood to mean, that the explanation of particular customs and manners of the nation whose history you write, is improper in history; but, on the contrary, I think it is extremely proper; and I regret very much, that the Roman historians have not been at more pains to explain several things of that kind.—Their excuse is, that such explanations were quite unnecessary to those for whom they wrote. But they should have considered, that they were writing for posterity, and for men of other nations, who knew nothing of the Roman customs and manners. And, indeed, this defect in them would have made the Roman history hardly intelligible to us, if it had not been supplied by the Greek historians, particularly by the Halicarnassian and Polybius; who, writing for their own countrymen, have been at pains to inform us of many things concerning the customs of the Romans both in peace and war, and the nature of their government, which otherwise we could not have understood. It appears, therefore, that history may have something of the didactic style in it.

"But what shall we say of the rhetorical style, I mean the style of

the speeches in the ancient histories? Are they foreign to the subject? And I say they are not, but, on the contrary, very proper; for they not only vary the style most agreeably, and relieve the reader from the disgust of hearing nothing but facts, without reason or argument; but they are a part, and a material part of the history of nations, where the public business was carried on chiefly by speaking; for, in such a nation, the speeches are to be considered as matters of fact: and accordingly Thucydides tells us, that the speeches he has given us, many and long as they are, were really spoken, at least in substance, he himself having heard them, or being informed by them who heard them. And, even where the historian could have no such knowledge, which is the case of Livy and the Halicarnassian, with respect to the speeches which they put into the mouths of the personages of the first ages of the Roman state; yet, as we are sure that public business was then carried on by speaking, as well as in later times, they are not at all improper, more especially as they give the historian an opportunity of explaining the counsels and motives of actions, without digressing or letting his story stand still. Such speeches, therefore, are not to be considered as episodes, but as parts, not ornamental merely, but very useful, of the history.

"And here the author has an opportunity of bringing into his work, without violating the rules of history, political, and even philosophical reflections, and likewise a good deal of the history of other nations, by way of example, and of the same nation in more ancient times.

"And it appears, that history is a most pleasant and various composition, taking in not only the narrative

native but the didactic and rhetorical styles, and even something of the philosophy of morals and politics, together with examples from the history of other nations and of other times.

“ It remains therefore only to be inquired, whether history does not partake of the poetical style, as well as of the other styles I have mentioned: and I say it does not; and that history is as different from poetry, as it is from painting; for, as Horace says, *ut pictura poesis*. And the chief difference betwixt poetry and painting is the instrument of imitation, painting imitating by lines and colours, poetry by words. And hence comes the difference betwixt the style of poetry and history. One of the chief characteristics of the poetical style is epithets, by which the object is represented to the imagination, as it is by painting to the eyes; and it is for this reason, that Homer abounds so very much in epithets, bestowing them not only on persons, but on things; and even the most common things, such as earth and water, which in that manner may be painted or represented to the imagination in poetry, as to the eye in painting. But in history, even persons the most illustrious, ought not to be described in that way; I condemn therefore in history the designing persons by epithets, such as *the brave prince, the gallant warrior, the philosophic sage*, and the like; though I know such expressions are reckoned ornaments of the historical style by those who cannot make the proper distinction betwixt the style of poetry and of history. And as to *things*, I say there ought never an adjective to be applied to any substantive, merely for the sake of adorning it, or exciting any passion in us, which is the proper definition of an epithet, but only for

the purpose of narrative or argument. Then there is the use of similes, by which a thing that may not be so conspicuous in itself, is made more conspicuous by comparison with another thing. This figure very much ornaments the style, by descriptions of beautiful things in nature, or art: and accordingly the similes of Homer are the most ornamented parts of his poems. Then there is the frequent use of metaphors in poetry, which are short similes: and, lastly, there is a particular and a minute description of things, called by the ancient critics *διετηνσεις*, by which things are so circumstantially and accurately described, that a painter may represent them in colours, by exactly copying the description given of them. Of this kind are many descriptions in Homer, and particularly one in the *Odyssey*, where he paints as much, as is possible for words to do, an event most interesting, as all of the kind in poetry are; I mean the discovery of Ulysses by his old nurse, when she was washing his feet; an event upon which his whole fortune and the catastrophe of the poem depended. Now, such painting does not belong even to oratory, as I have elsewhere shown, but much less to history. The reason of which is, that the chief end of poetry is to move the passions; whereas, the business of history is to instruct by a faithful narrative, accurate and circumstantial enough to make the things be perceived by the understanding, but not so minute, or so much coloured; as to make them an object of the imagination. Such being therefore the difference betwixt poetry and history, I blame the style of every history which abounds with epithets and similes; or makes much use of metaphors that are not common in the language; or which

by a particular description of things, applies itself to the imagination and passions.

The stile of history, as well as every other stile, consists of two things, the choice of words, and the composition of these words: The last of which is acknowledged by all the masters of the art to be the most difficult part, as well as that which gives the greatest beauty to stile, when well executed. As to the choice of words in history, they should be all the common words of the language, but of the best kind, that is, such as are used by the politest and best educated men, speaking or writing with gravity and dignity upon subjects of importance. Of metaphors and other tropes none should be used but such as are common and familiar, nor any words that are obsolete and antiquated. In this particular, Sallust, as I have observed elsewhere, is very faulty; for he abounds with obsolete words and phrases, which are an ornament to poetry, if judiciously employed; and, accordingly, they are much used by Homer, in whom it is not difficult to discern two languages, the language of his own time, and that of times much more antient. And, I think, it is a very great beauty in the best rhyming poetry we have in English, I mean Mr. Thomson's *Castle of Indolence*. But I hold them to be improper both in history and rhetoric, or in any other kind of writing or speaking, the subject of which is the ordinary affairs of life.

"The composition, therefore, is that by which the historical stile is chiefly to be distinguished from any other. How much the stile in Greek and Latin may be varied and distinguished from common speech by a different arrangement of the words,

I have more than once observed in the course of this work. But I have also observed, that the stunted genius of our language, so defective in its grammar, and wanting that variety of flexion, and those numbers and genders, by which words, at a distance from one another in position, are joined together in syntax, does not admit of that beautiful variety of arrangement, which, at the same time that it pleases the ear, conveys the sense more emphatically. Neither does the simple syntax of our language admit of all that variety of figures of construction, with which Thucydides has adorned his stile so much, that, as the Halicarnassian has observed, the grammarians have not names for them all. These figures, though they be what the ancient critics call *οὐδαινοζαντις*, that is, *having the appearance of solecisms*, yet, if they be not intemperately used, or so as to produce an obscurity in the sense, which is often the case in Thucydides, are a beauty of stile, but such as our language does not admit. The only way therefore remaining, by which our historical stile in English can be distinguished from common speech, is by composition in periods. And, indeed, it is the greatest beauty of all composition, whether in learned or unlearned languages, in prose or in verse. I have said a good deal upon this subject elsewhere in this volume, which I will not here repeat. In volume third, I have given definitions of a period from Aristotle and Cicero, and have shown how much better the philosopher has defined it than the orator; I have also illustrated what I have said upon the subject by examples from Demosthenes, Cicero and Milton. I will only add here, that whoever is not sensible of the beauty of a period, does
not

not appear to me to know what system and a whole, of a certain beauty is, which cannot be, as I extent, having beginning, middle, have shown elsewhere, without a and end."

OF THE GREEK COMEDY AND ITS CHRONOLOGY.

[From the Third Volume of the Observer.]

"I SHALL now proceed to lay before the public, such an account as I have been enabled to collect of the several Greek writers of comedy.

"The learned reader needs not to be informed, how little is to be found in Aristotle's *Poetics* on the subject of comedy; that treatise by no means answers to the general profession of its title; if it had come down to us as perfect and entire, as it probably was when the author put the last hand to it, and presented a correct copy of his work to Alexander, we might conclude otherwise of it; but to speak of it as it is, we can call it nothing more than a dissertation upon tragedy, in which many things are evidently out of place and order, some no doubt lost, and others mutilated. It is thus considered by the learned commentator Daniel Heinsius, who in his supplementary treatise annexed to his edition, professedly speaks only of the construction of tragedy, and endeavours with great diligence and perspicuity to methodize the whole work, and dispose his author's system into some order and regularity.

"With the exception of a few obvious remarks upon the epic, as tending to illustrate the drama, and two or three passages where comedy is spoken of only as contrasted with tragedy, the whole of this celebrated dissertation is nothing more than

a set of rules for the drama, which are mere transcripts from the compositions of the great writers of the Homeric tragedy, Æschylus, Sophocles, and Euripides: he analyzes and defines a poem, then actually carried to its perfection; but gives no new light, no leading instructions, for the furtherance and improvement of what had not arrived to the like state of maturity.

"With the remains of the three tragic poets above mentioned in our hands, I profess I do not see how we are edified by Aristotle's dissertation, which offers nothing but what occurs upon the reading of their dramas; unless posterity had seen fit to abide by the same laws, which they observed, and the modern tragedy had been made exactly to conform to the Greek model.

"Aristotle, as we have before remarked, speaks of no comedy antecedent to the comedy of Epicharmus: there is reason to think that this author did not fall in with the personal comedy in the licentious manner it prevailed upon the Athenian stage, even to the time of Aristotle; for it was not reformed there, till the personal satirists were awed into better respect by the Macedonian princes, who succeeded to Alexander; whereas Epicharmus wrote for the court of an absolute prince.

"Now it is remarkable, that Aristotle makes no strictures upon
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the licentiousness of the Athenian comedy, nor offers any rules for the correction of the stage, though the schools proscribed it, and the tribunals were at open hostility with it. It is plain he states things as they were, not as they ought to have been; for he pronounces of comedy—that it is a picture of human nature, worse and more deformed than the original.

“I cannot hold this to be a just character of comedy, as it stood at the time when Aristotle pronounced it: the only entire comedies we have to refer to, are a contradiction to the assertion; for no one will contend that the corrupt and abominable manners of the times in which Aristophanes wrote, did not fully warrant the severity of his satire, or that his characters of depravity are in general overcharged, and his pictures of human nature more deformed than their originals. As for the rest of the comic fraterpity, their fragments only can plead for them; but they are fragments of such a nature, as prove them to have been moralists of the sublimest sort, and they have been collected, translated, and applauded; by the gravest and most sententious of the Christian writers for many ages. I will venture to say, that in these scattered reliques of the comic stage, more useful knowledge and good sense, better maxims for right conduct in life, and a more generous display of benevolence, justice, public spirit, and all the moral virtues of natural religion are to be found, than in all the writings of the philosophers, which are so much more entire.

“Socrates, it is true could hardly be prevailed upon to enter the comic theatre, but I infer very little against the poets on that ac-

count; Plato, I am aware, though an intimate of Aristophanes, banished the drama out of his visionary republic; but what is that more than to say, that if all men were virtuous there would be no need of satirists? The comic poets in return lashed the philosophers over the stage, and they had what they merited, the public applause on their side; the schools and academies of sophists furnished an inexhaustible fund for wholesome ridicule; their contradictory first principles, their dæmons and clouds, and water and fire, with all their idle systems and hypotheses, their fabulous conceits, dreams and devices to catch the vulgar, and the affected rigour of their manners, whilst in secret they were addicted to the grossest debauchery and impurity, were continual subjects of satire; and if hypocrisy is not the comic poet's lawful game, what is? There is not a play of Aristophanes to be named, in which these sanctified sinners have not their share in the ridicule; and amongst the fragments above mentioned, a very large proportion falls to their lot.

“Aristotle, who had very little feeling for Plato and his academy, or indeed for practical philosophy in general (which he seems to have professed only in opposition to Xenocrates) concerned himself no further about the state of the stage, than to comment and remark upon the tragedies of the three chief writers above mentioned; and it is humiliating enough to the pride of criticism to observe, that tragedy, after all his pains to hold it up to the standard of Sophocles and Euripides, sunk with those authors, and was no more heard of; whilst comedy, without his help, and in defiance of his neglect, rose in cre-

dic

dit with the world, till it attained perfection under the auspices of Menander.

"I have spoken of tragedy as a written poem before comedy of the same description, because I think that Sufarion did not write comedy, though he acted it so early as the fiftieth Olympiad; and I also think that Thelxis did write tragedy in the sixty-first Olympiad, if not sooner; in other words, although the complexion of the original drama was comic in the most extravagant degree, yet it appears probable that tragedy had the start in point of publication. The nature of the first comedy, compared with that of the first tragedy, seems to warrant this opinion; for it is easy to suppose that the raillery and satire of the village masques, which would pass off at a lawless festival, spoken off-hand and without the malice of premeditation, would not so readily have been committed to writing by the poet, as the tragic drama; which being composed in honour of deceased heroes, or on religious and grave subjects, not only called for greater deliberation on the part of the author, but would also be made public without danger or offence.

"It now remains to enquire into the chronology of the written comedy.

"I have already observed, that Aristotle ascribes the first written comedy to Epicharmus.

"Both Aristotle and Horace call him a Sicilian, but in what particular place he was born is not agreed; some contend that he was a Syracusan, some that he was a native of Crastum, others of Megara in Sicily: Diomedes the grammarian says he was born in Cos, and derives the word comedy from the name of that island, a derivation

that sets aside his authority altogether. The father of Epicharmus was named Chimarus, or according to others Tityrus, and his mother Sicida. Cicero in his *Tusculana* calls him, *acutum nec insulsum hominem*: Demetrius Phaleræus celebrates him for the elegant and appropriate choice of his epithets, on which account the Greeks gave the name of Epicharmion to his stile, making it proverbial for its beauty and purity. It is difficult to fix the precise time when he began to write comedy especially as he lived to the great age of ninety-seven: it is certain however he was still writing in the reign of Hiero, in or about Olympiad seventy-four, at which time Phormis also wrote comedy in Sicily; and Chionides, Dinolochus and Magnes, comic poets, flourished at Athens.

"Suidas's chronology does not agree with Aristotle's, for he makes Chionides antecedent to Epicharmus, and calls him the first writer of comedy; adding, that Evetes, Euxenides, and Mylus, all Athenians, were his contemporaries; he allows, however, that Epicharmus and Phormis were the first writers in the island of Sicily; but this is in the vague manner of his dates, and not to be relied upon: he takes no notice of Aristotle's express assertion that Epicharmus was long senior to Chionides; and yet he might have recollected, that facts are so far in favour of Aristotle's chronology of these poets, that there is a title upon record of one of Chionides's plays called *The Persians*, which must have been posterior to the Persian æra, when it is on all hands agreed that Epicharmus was living.

"Amongst the epigrams of Theocritus, published by Henry Stephens in 1579. there are some lines

upon Epicharmus, which appear to have been inscribed upon the pedestal of a statue of brass, which the Syracusans had set up in his honour as their fellow citizen: it consists of ten lines in the Doric dialect, which he used; it settles the point of his birth, expressly saying he was a Syracusan, and ascribes to him the invention of comedy—

—χρὶ τῆς, ὁ τῶν κωμῶν δῖος

Εὐχὰς Ἐπιχάρμου.

“Epicharmus, the man who invented comedy.”

In the conclusion, it celebrates him for the many useful maxims which he gave for the instruction of youth; but this I am disposed to think may apply to the circumstance of his having been a school-master at Syracuse; for if we are to take our judgment of Epicharmus's drama from his imitator Plautus, perhaps its morality, though not to be overlooked amongst other excellencies, is nevertheless not the most striking feature in its character. And though it is probable that Epicharmus did not launch out into that personality, which the freer Athenians indulged to such excess, yet I can suppose him to have been not very chaste in his dialogue, from the anecdote which Plutarch gives us, of his being heavily fined and compelled to manual labour by order of Hiero for certain obscene jests, which he suffered to pass in hearing of his queen: I must ground another remark upon this anecdote, respecting the time in which he is generally thought to have struck out his comedy, as being long antecedent to the time of Hiero; which being admitted, it will follow that he was near the close of his life, when this

sentence of manual labour was executed upon him; a kind of punishment so very unlikely to be inflicted on a man of ninety-six years by a prince of Hiero's magnanimity and benevolence, that if I am to take the anecdote for granted, I cannot assent to those authorities that have placed him so high in time, for the purpose only of putting his title of first founder of comedy out of dispute.

“Upon the whole, I think it likely the Athenians wrote comedy as soon as the Sicilians, but that Epicharmus was the first, who formed his drama upon the poems of Homer: it is also clear that his countryman and contemporary Phormis wrote comedy as soon or nearly as soon as he did; for although Theocritus, in the epigram above cited, says expressly that Epicharmus struck out comedy, yet it must be remarked that Theocritus was a Syracusan by birth, living in the time of Ptolemy Lagus; and in giving this testimony for his fellow-citizen, it is more than probable he spoke locally of the Sicilian comedy only, as Suidas did in after times, when he said that Epicharmus and Phormis first struck out comedy in Sicily.

“I would therefore fix Epicharmus's first comedy antecedent to Olympiad seventy-five, at the lowest date, because we have it from good authority that he was teaching scholars at Syracuse four years before the Persian era; and this date is confirmed by the age of Phormis, who certainly flourished in the time of Gelon, and was in great favour in the court of that prince, who was predecessor to Hiero, and was succeeded by him in Olympiad seventy-seven.”

DE.

DEFENCE of ARISTOPHANES against PLUTARCH and ÆLIAN.

[From the same Work].

“ I SAID in my former paper that Plutarch had made a comparison between Aristophanes and Menander, and given his decided judgment for the latter. It might well be expected, that a Greek of the lower ages, living in the time of Trajan, and in court-favour with that emperor, should prefer a polished elegant author like Menander to one so bold, personal and sarcastic as the poet he compares with him. Horace even in the time of Augustus had begun to decry the Plautinus Sales, and the manners were much more refined in Plutarch's time than in his. As we can take little estimate of Menander from the fragments only of his comedies which now remain, we cannot see what general reasons Plutarch, or any other critic of his time, might have for preferring him; but as far as he has entered into strictures and objections in his examination of Aristophanes, so far we can follow him; this part at least of his criticism is still open to be controverted, and if it shall appear that he has condemned one party without reason, it may be presumed he has preferred the other without justice.

“ Plutarch asserts that Aristophanes is a punster, a quibler upon words, and ridiculously given to parody. It is unfortunate for this charge that he follows it up with quotations, in every one of which Aristophanes is not only to be defended but applauded; he could not have selected passages less to the purpose; and the accusation has accordingly been turned against him by Frischlinus and other advocates of the poet.

“ He arraigns the style of Aristophanes on account of its inequalities and variations, observing that it is sometimes high and sometimes low, now turgid and inflated, now grovelling and depressed—as if he had not been aware that the great variety of characters, which his comedy exhibits, naturally demands as great a variety of stile: he applauds Menander for the uniform and equal tenor of his stile, not seeming to recollect that his comedy on the contrary had one uniform complexion, contained no chorusses and introduced no living characters; whereas Aristophanes, according to the spirit of the old comedy, makes use of chorusses, many of which are of so fanciful and imaginary a nature, that it is necessary to employ all the powers of poetry in their display, and in some cases even to create a new stile (and almost language) for the occasion: He also introduces gods, heroes, poets, orators, philosophers, ambassadors, priests on his scene; some of these professedly demand a swelling tragic pomp of words, for instance Æschylus, Sophocles, and Euripides: in short, the very excellence of Aristophanes is discrimination of stile and character. Should Socrates and a slave speak in the same phrase? Should Lamachus (a mere *miles gloriosus*) talk in the tone of a beggarly Megarenian pedlar? Certainly not; nor is there any need to dwell longer on this criticism of Plutarch's, in which the ingenious author has shewn little of his usual candour or judgment. That he should be prepossessed in favour of the new comedy is very natural; elegant and moral fictions are both more

more pleasing and more proper subjects for the drama, than bold and coarse truths and living realities; the even suavity of Meander's style might be more to his taste than the irregular sublimity of Aristophanes's; but when I see him manage the argument in a manner so much below his usual sagacity, I cannot help suspecting there might be some other besides general prejudice in his mind against Aristophanes, and I make no doubt he had fostered strong resentments against him for his attacks upon Socrates; I also see some grounds for believing that he had been exposed by Pliny in his partiality for Menander, whom that author calls *omnis luxuriæ interpres*; a charge which was refuted by Plutarch, who nevertheless was compelled to admit it: it is not improbable therefore that this might have given some occasion to him for entering into a more formal comparison between the two authors, and for publishing his strictures upon Aristophanes. Upon looking over the titles of the comedies of the last-named author, which are lost, I find one entitled *Bœotia*, which play was translated and brought upon the Roman stage by Plautus, as it is generally thought, though we are told that M. Varro gave it to one Aquilius; be this as it may, the comedy was produced by one or the other, and there is a fragment of it in proof, which will be found in Pareus's edition of Plautus: here is fresh reason for Plutarch (who was a Bœotian) to take up a resentment against Aristophanes; and, if he were a subject worth following, I could shew that Plutarch's national prejudices were uncommonly strong. the comedy indeed is not in existence, both original and translation being perished;

ed; but we can easily believe that Bœotia did not escape out of Aristophanes's hands without a pretty smart flagellation; and this was the more galling to Plutarch, because it was naturalized on the Roman stage, and, if it was still in representation, might give a handle to the wits of the time for a run upon his native country. But I perceive my zeal is carrying me into an unprofitable research, and I proceed with my subject.

"Aristophanes has sometimes been reproached for his attack upon Euripides; but this author was a fair subject for satire in his literary character, and, though he was the friend of Socrates, his private morals were no less open to reproof. The voice of the heathen world has been so loud in the praise of Socrates; he is so decidedly the hero of all the Ciceros and declaimers upon morality, that even now, after so many centuries of Christianity, it is with a kind of superstitious reverence we approach his character. His contemporaries, who saw in the nearest light, treat him with the least respect: Aristophanes (as Ben Johnson expresses it "hoisted him up with a pulley, and made him play the philosopher in a basket; measure how many foot a flea could skip geometrically by a just scale, and edify the people from the engine.")—Time and prejudice have since cast a veil before him, that it would be a hardy deed to attempt to withdraw.

This attack of Aristophanes has doomed him to almost universal detestation; the praise we give him is no more than his superior genius extorts, and it is paid grudgingly like a tax, without cordiality or good-will: we admire him for his bold attacks upon Cleon, and we

can find some palliation for his strictures upon Euripides; the languid affectation of the poet, and the turbulent ferocity of the demagogue, justify the satyrist; but when he assails the sacred character of Socrates, when he arraigns the unspotted purity of the great master of morality, it is no longer satire, it is sacrilege. But is all this to pass without one word for the poet? Was he given up by his contemporaries for this atrocious act? was he given up by the friends and disciples of Socrates? by none; not even by Plato himself, who on the contrary revered, admired and extolled him both in verse and prose; he adopted his sentiments on the subject of love, and engrained them into his own *symposium*: he applauded him to Dionysius of Syracuse, and put his comedies into his hands as the only pure and perfect model of Attic elegance: the tyrant read them, admired them, and even rehearsed them by heart; nay he did more, he turned poet himself, and wrote a play for the Athenian stage, which of course was honoured with a prize. And now why should we be more angry than Plato was? What have we discovered, which we did not know, that we should take the matter up so high? We have discovered that Aristophanes took a bribe of Melitus and his faction to attack Socrates, and pave the way for their criminal charge, by which he suffered; and this we take upon credit from Ælian's insinuations in an article of his *Various History*, which for its authority in this case is about as good an evidence, as any story out of the *Incredibilia* of Palæphatus Heraclitus. Ælian however does not hardily advance this as a fact, but hooks it in by

way of question—"Where is the absurdity," he asks, "of supposing that the poet, who was known to be needy, had taken a bribe?"—This is a mere insinuation, by which he tries the credulity of his readers: if they will believe it, so much the better for his purpose; if not, he has nothing else to offer; he has done his best to blacken the character of Aristophanes in this case, as he did in that of his intemperance: he has accused him of writing plays when he was drunk, and now he accuses him of taking a bribe for writing them: the man who believes the one, may take the other into the bargain; for his own part, the improbability stares him so fully in the face, that he immediately subjoins to his insinuation above quoted—"that for the truth of this, it was best known to Aristophanes himself."—This can never pass with any candid reader. As for the success of the attack, that he confesses was beyond all example; the comedy was applauded to the skies; never did any poet receive such honours from the public, as Aristophanes for this play of *The Clouds*.

"As to the charge of the bribe, I need not observe, that as it was not an easy thing for any advocate of the poet to prove the negative in Hadrian's days, when Ælian threw it out, it cannot be less difficult now to do it, when more than two millenniums have interposed between the fact and our examination of it: and yet we know that Aristophanes, in a short time after the representation of his *Clouds*, brought this very Melitus, who is supposed to have suborned him by a bribe, before the audience, and exposed his vicious character with the most unsparing severity. If
this

this is not proving a negative, it is as near it as circumstance and presumption can go.

"But there is another part of *Ælian's* charge which can be more clearly disproved than the above, and this is the assertion he advances, that this attack upon *Socrates* from the stage was contrived by *Anytus* and *Melitus* as a prelude to their criminal accusation of him: this *Ælian* expressly asserts, adding that the faction were afraid of his popularity, and therefore set *Aristophanes* upon him to feel the pulse of the people, before they ventured to bring their public charge against him. Here he flatly confutes himself; for had this been the proving attack, what experiment could answer more completely, when even by his own account all Athens was in raptures with the poet, and the comedy went off with more general applause than any was ever known to receive? nay, more than this, *Socrates* himself according to *Ælian's* own account was present in the theatre, and stood up in view of the people all the while; yet in spite of his presence, in defiance of this bold appeal, the theatre rung with plaudits, and the philosopher only stood up to be a more conspicuous mark of raillery and contempt. Why then did not the faction seize the opportunity and second the blow? Could any thing answer more fully to their wishes? Or rather, could any event turn out more beyond their expectation? From *Ælian's* account we are left to conclude that this was the case, and that this attack was literally a prelude to their charge; but this inference is alike disingenuous with all the rest, for we know from indubitable dates that *The Clouds* was acted at least eighteen years be-

fore the death of *Socrates*: it was in the first year of Olympiad eighty-nine, when *Isarchus* was archon, that *Aristophanes* acted his first comedy of *The Clouds*, which was driven off the stage by *Alcibiades* and his party: in the year immediately following, when *Amunias* was archon, he brought out the second of that name, which is the comedy in question, now in our hands: these are authentic records; take the earliest date for the death of *Socrates*, and it will not fall till the first year of Olympiad ninety-five, when *Laches* was archon; the interval is as I state it; a pretty reasonable time for such a plot to be ripening: and who will give credit to *Ælian* and his *Various History*?

"Having taken some pains to prove what *Aristophanes's* motives were not, it now remains to shew what they were.

"*The Clouds* is a satirical and personal comedy, the moral of which is to shew how the sophistry of the schools may be employed as an instrument of fraud and evasion in matters of right and property; this is its principal object: but it touches also upon other points by the way, and humourously exposes certain new and chimerical notions about the relation of children to their parents, and of the influence of *The Clouds*, as superior to the superintending power of *Jupiter*.

"Of its moral therefore, separately considered (comprehending the chief duties and relations of men, whether to the gods, to their parents or to society at large) there can be no doubt; its excellence and importance speak for themselves.

"The comedy being written before the practice was restrained of bringing living characters on the stage,

stage, a school is here introduced, and the greatest philosopher of the time is represented in person on the stage: this philosopher is Socrates himself, and the school is the school of Socrates.

"Socrates is made to advance the hypothesis of *The Clouds* before mentioned; but it should be constantly kept in remembrance; that he lays down no doctrines, as principles of fraud or injustice: it is not the teacher who recommends, but his disciples who pervert his instructions to the evil purpose of defrauding and eluding their creditors: the like remark holds good in the case of the natural duty of children to their parents: the son in the play it is true strikes and beats his father on the stage, and he quotes the maxims of Socrates in justification; but he does not quote them as positive rules and injunctions for an act so atrocious; he only shews that sophistry may be turned to defend that, or any other thing equally violent and outrageous.

"There are two lights in which Socrates is to be viewed; first, in his public character as a teacher; secondly, in his private one as a man. It is chiefly in the former of these that Aristophanes has attacked him; and (as I before observed) it is to expose the evil uses rather than the evil nature of his doctrines, that he brings his school upon the stage; for when the disciple is questioned about the studies which his master is employed in, he makes report of some frivolous and minute researches, which are introduced only for the purpose of raising a harmless laugh, and so far there can be no offence in this scene.

"After all it must be allowed, that these seminaries of sophistry,

which the state of Athens thought it necessary to put down by public edict, could not have been improper subjects for dramatic ridicule; for if the schools were found so detrimental to the morals of youth, that the archons and their council, after due deliberation, resolved upon a general expulsion of all masters and teachers thereunto belonging, and effectually did expel them, surely the poet may be acquitted, when he satirizes those obnoxious parties, whom the laws of his country in a short time after cut off from the community.

"There can be little doubt but this was a public measure founded in wisdom, if it were for no other reason, than that the Lacedæmonians never suffered a master of philosophy to open school within their realm and jurisdiction, holding them in abhorrence, and proscribing their academies as seminaries of evil manners, and tending to the corruption of youth: it is well known what peculiar care and attention were bestowed upon the education of the Spartan youth, and how much more moral this people was, who admitted no philosophers to settle amongst them, than their Athenian neighbours, in whose dissolute capital they swarmed. In fact, the enormity became too great to be redressed; the whole community was infected with the enthusiasm of these sectaries; and the liberties of Athens, which depended on the public virtue of her citizens, fell a sacrifice to the corruptions of false philosophy: the wiser Lacedæmonians saw the fatal error of their rivals, and availed themselves of its consequences: they rose upon the ruins of Athens, and it was the triumph of wisdom over wit: these philosophers were ingenious men, but execrable citizens;

zens; and when the raillery of the stage was turned against them, the weapons of ridicule could not be more laudably employed.

"As for the school of Socrates in particular, though it may be a fashion to extol it, there is no reason to believe it was in better credit than any other; on the contrary, it was in such public disrepute on account of the infamous characters of many of his disciples, and of the disgraceful attachments he was known to have, that it was at one time deserted by every body except Æschines, the parasite of the tyrant Dionysius, and the most worthless man living: this Æschines, his sole and favourite disciple, was arraigned by the pleader Lysias, and convicted of the vilest frauds, and branded as a public cheat: he was a wretch, who employed the sophistry and cunning argumentation, which he learnt of his master, to the purpose only of evading his debts, contracted by the most profligate extravagancies: he afterwards went over to the school of Plato, and when Socrates was dead, had influence enough with Xantippe to obtain of her some dialogues from her husband's papers, which he published as his own, and set up for an author and preceptor in philosophy. It is very probable Aristophanes had in view the character of this very Æschines, when he brings his old man on the scene, consulting Socrates for sophistical evasions how to elude his creditors.

"Another of the scholars of Socrates was Simon the Sophist, a man whose rapacity became a proverb (*Σίμωνος ἀρπακτιὸν ὄντος*, *Simoni rapacior*). This Simon was such a plunderer of the public money, that Aristophanes in his strong

manner says, "the very wolves run off at the sight of Simon."

"The despicable Cleonymus, whose cowardice was as proverbial as Simon's rapacity, and the profligate Theorus, who buried himself in the stews at Corinth, were also fellow students under Socrates, and it is with just indignation against such execrable characters that Aristophanes exclaims—"O Jupiter, if thy bolts are aimed at perjury, why do these wretches, of all most perjured, Simon, Cleonymus and Theorus, escape the stroke?"

Ἐπιτεβάλλαι τὰς ἐπιόρκας, πῶς δ' ἔστ' ἄχ' Ἰμῶν ἐνέκρησαι,
Οὐδ' Ἐκλήνυμοι, οὐδ' Θεόρου; καὶ τοὺς σφῶδ' α' γ' ἰστ' ἐπιόρκοι.

"Aristippus, the Cyrenaic founder, was a distinguished disciple of the Socratic school, a parasite also in the court of Dionysius, a buffoon and drunkard, the avowed opposer of every thing virtuous, a master and professor of immorality, who laid down institutes of sensuality and reduced it to a system.

"Of Alcibiades I shall briefly speak, for the stories of Socrates's attachment to him are such as need not be enlarged upon; they obtained so generally, that he was vulgarly called Alcibiades's Silefius. When I glance at these reports in disavow of a character, which probably stands so high in the opinion of the learned reader, I must hope for a candid interpretation of my motives for collecting these anecdotes, which I do not wish to apply to any other purpose than merely to shew that Aristophanes was not singular in his attack upon this celebrated philosopher; neither did this attack bear so hard against him, as many stories, then in ge-
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neral circulation, otherwise did: great authorities have ascribed his attachment to Alcibiades to the most virtuous principle; common fame, or perhaps (more properly speaking) common defamation, turned it into a charge of the impurest nature: in like manner we find him ridiculed for his devotion to the noted Aspasia, in whose company he is said to have passed much of his time; and Athenæus quotes some passages of his dialogues with her, which he tells us were published by Herodicus, and which we must either totally reject, or allow him to have been subject to such private weaknesses and frailties, as were unsuitable to his public character: what were the real motives for his frequent visits to Aspasia, as well as for his seeming attachment to the strumpet Theodote, must be left to conjecture; of the fact there is no room to doubt. He is stigmatized for his guilty connections in his youth with his preceptor Archelaus, and yet this charge (however improbable it may seem) rests upon the authority of Aristoxenus, a man of the most candid character, and whose credit stands high with all true critics. Herodicus the historian whom I have before mentioned, and who lived about three hundred and fifty years before the Christian æra, seems to have treated Socrates with the greatest severity, charging him with sitting up all night drinking and carousing with Agatha and others, whom when he had left drunk and asleep, he reeled into the Lyceum, more fit (in the words quoted from the relator) for the society of Homer's cannibals, than of those he found there: in this debauch it is pretended, that although Phedrus, E-

ryximachus and many other potent drinkers fled the company, Socrates sat to the last, swallowing drenches of wine out of enormous goblets of silver: he describes him sitting amongst lascivious revellers at a banquet, where dancing girls and boys were exhibiting their indecent attitudes to the music of harpers and minstrels: he exposes this master of morality entering into a controversy with his scholar Critobulus upon the subject of male beauty; and because Critobulus had ridiculed him for his ugliness, he asserts that Socrates challenged him to a naked exhibition, and that he actually exposed his unseemly person to a Pæthic and a dancing girl, the appointed umpires of the dispute; the conqueror was to be rewarded with an embrace from each of these umpires, as the prize of superior beauty, and the decision was of consequence given *ex absurdo* to the philosopher, in preference to one of the handsomest young men in Greece, and he enjoyed the prize annexed to the decree. If we can believe this anecdote to have been gravely related by an historian, who lived so near to him in point of time, we shall cease to wonder that Aristophanes had the whole theatre on his side, when such stories were in circulation against the character of Socrates.

"As I have no other object in view but to offer what occurs to me in defence of Aristophanes, who appears to have been most unjustly accused of taking bribes for his attack upon Socrates, and of having paved the way for the cruel sentence by which he suffered death, I shall here conclude an invidious task, which my subject, not my choice, has laid upon me."

Am

AN EXAMINATION of the MORAL EFFECTS of TRAGEDY.

[From the First Volume of the Lounger.]

“**I**N forming the minds and regulating the conduct of men, nothing seems to be of greater importance than a proper system of what may be termed *domestic morality*; the science of those relative duties, which do not apply only to particular situations, to large fortunes, to exalted rank, to extensive influence, but which constitute that part and character in life which almost every one is called to perform.

“Of all above the lower ranks, of all who claim the station or the feelings of a gentleman, the knowledge of this science is either inculcated by family precept and example, or is endeavoured to be instilled by reading. In the latter case the works made use of for that purpose are either purely didactic, which speak the language of authoritative wisdom; historical, which hold forth the example of past events to the judgement; or they are of that sort which are calculated to mould the heart and the manners through the medium of the imagination. Of this last class the principal are *stories* or *novels* and *theatrical* compositions. On the subjects of novels, I have in a former paper delivered a few general remarks, calculated to ascertain their moral tendency. In this I propose extending my consideration to dramatic writing; and, as it is nearest to the novel, at least to that species which I principally considered in the paper alluded to, I shall begin with a similar examination of tragedy.

“The engines which tragedy professes to use for moral instruction, are the *passions*. The father of dramatic criticism has told us, that

tragedy “purges the passions by exciting them:” a proposition, which, from its short apothegmatical form, is subject to considerable obscurity. A modern writer, in his defence of tragedy as a moral exhibition, explains its meaning, by the analogy of the Spartan custom of making their slaves drunk, and shewing them in that beastly state to their children, in order to inspire a detestation for the vice of intemperance. But if this is to furnish us with an illustration of Aristotle’s assertion, I am afraid it will not aid the cause of tragedy as a school of morals. It was from the previous contempt of the rank and manners of the drunkard, that the Spartan boy was to form his estimate of drunkenness. The vice of a *slave* could hardly fail to disgust him. But had they shewn him the vice itself, how loathsome and degrading soever in its own nature, in a person of superior respect and estimation, what would have been the consequence? The fairest answer may be drawn from the experience of those countries where freemen get drunk, where senators and leaders of armies are sometimes intoxicated. The youths who behold these examples the ofttest are not the less liable to follow them. I am afraid it is even so with tragedy. Scenes presenting passions and vices, round which the poet throws the veil of magnanimity, which he decorates with the pomp of verse, with the splendor of eloquence, familiarize the mind to their appearance, and take from it that natural disgust which the crimes, presented in their native form, would certainly excite. Cruelty, revenge, and murder,

murder, are often the attribute of the hero; for he must always be the hero on whom the principal stress of the action lies. What punishment awaits, or what misfortunes attend his crimes, is little to the purpose; if the villain is the prominent figure of the piece, he will be the hero of the tragedy, as the robber, though he is about to be hanged, is the hero of the trial or the execution. But even of the nobler characters, does not the morality of sentiment often yield to the immorality of situation? Treachery is often the fruit of wisdom and of resolution; murder, an exertion of valour; and suicide, the resource of virtuous affliction. It will be remembered, that it is not so much from what the hero says, as from what he does, that an impression is drawn. The repentant lines which Cato speaks when he is dying are never regarded. It is the dagger only we remember, that dagger by which he escaped from chains, and purchased immortality.

But the leading passion of modern tragedy is one to which Aristotle could scarce have meant his rule to apply; because in ancient tragedy it was almost unknown. The passion I allude to is love. The manners and society of modern times necessarily led to this change in the drama. For the observation which some authors have made is perfectly just, that the sentiments of the stage will always be such as are flattering, rather than corrective of national manners and national failings; superstition in Greece, gallantry in France, freedom and courage in England. In every popular exhibition this must be the case. Even the sacredness and authority of the pulpit is not exempted from its influence. In polite chapels

preachers exhort to morality: in crowded churches of less fashionable people they enlarge on doctrinal subjects, on faith and sanctification. But the very existence of the stage depends on that public opinion which it is not to reform but to conciliate: and Dr. Johnson's expression is not the less true for its quaintness,

"They that live to please, must please to live."

To this necessary conformity to the manners of the audience is owing the introduction of love into almost all our dramatic compositions; and those, as might be expected, are most in favour with the young, where this passion is allowed the most extensive influence, and the most unlimited power. It was this which, when it was the fashion for genteel people to pay attention to tragedies, drew such audiences to Lee's Theodosius, and to Dryden's Anthony and Cleopatra, where the length of the speeches, and the thinness of the incidents, would have been as tiresome to them as a sermon, had it not been for a tenderness and an extravagance of that passion, which every girl thought she could feel, and believed she could understand. The moral consequences of such a Drama it is unnecessary to question. Even where this passion is purified and refined to its utmost degree, it may be fairly held, that every species of composition, whether narrative or dramatic, which places the only felicity of life in successful love, is unfavourable to the strength and purity of a young mind. It holds forth that single object to the ambition and pursuit of both sexes, and thus tends to enfeeble and repress every other exertion. This increases a

source of weakness and corruption, which it is the business of a good instructor to correct and overcome, by setting before the minds of his pupils other objects, other attainments, of a nobler and less selfish kind. But in that violence, in that tyranny of dominion, with which love is invested in many of our tragedies, it overbears every virtue and every duty. The obligations of justice and of humanity sink before it. The king, the chief, the patriot, forgets his people, his followers, and his country; while parents and children mention the dearest objects of natural attachment only to lead them in the triumph of their love.

"It is the business of tragedy to exhibit the passions, that is, the weaknesses of men. Ancient tragedy shewed them in a simple manner; virtue and vice were strongly and distinctly marked, wisdom and weakness were easily discriminated; and though vice might be sometimes palliated, and weakness excused, the spectator could always discover the character of each. But in the modern drama there is an uncertain sort of outline, a blended colouring, by which the distinction of these objects is frequently lost. The refinement of modern audiences calls for shades of character more delicate than those which the stage formerly exhibited; the consequence is, that the bounds of right and wrong are often so uncertainly marked as not to be easily distinguished; and if the powers of poetry; or the eloquence of sentiment, should be on the side of the latter, it will require a greater firmness of mind than youth or inexperience is master of to resist it.

"Reason condemns every sort of weakness; but passion, enthusiasm, and sickly sensibility, have

dignified certain weaknesses with the name of *amiable*; and the young, of whom some are susceptible, and others affect susceptibility, think it often an honour to be subject to their controul. In tragedy, or tragic writing, they often find such characters for their imitation. Such characters, being various, complicated, and fluctuating, are the properest for tragedy. The poets have not neglected to avail themselves of that circumstance: their dramas are filled with such characters, who shift the hue and colour of their minds, according to the change of situation or the variety of incident; or sometimes, whose minds, in the hand of the poet, produce that change, and create that variety. Wisdom and virtue, simple, uniform, and unchanging, only superior artists can draw, and superior spectators enjoy.

"The high heroic virtue we see exemplified in tragedy warms the imagination and swells the mind; but being distant from the ordinary feelings and exertions of life, has, I suspect, but little influence upon the conduct. On the contrary, it may be fairly doubted, whether this play of the fancy, in the walks of virtue and benevolence, does not lessen the exertion of those qualities in practice and reality. "*Indocilis privata loqui*," said Lucan of Cæsar: so in some measure, he who is deeply conversant in the tragic phrase, in the swelling language of compassion, of generosity, and of love, finding no parallel in his common intercourse with mankind, will not so readily open his heart to the call on his feeling, which the vulgar distresses of his fellow creatures, or the ordinary relations of life, may occasion. In large misfortunes, in fancied sufferings, the drapery of the

the figure hides its form; and real distress, coming in a homely and unornamented state, disgusts the eye which had poured its tears over the hero of tragic misery, or the martyr of romantic woe. Real calamity offends with its coarseness, and therefore is not produced on the scene, which exhibits in its stead the fantastic griefs of a delicate and high-wrought sensibility. Lillo, in his *Fatal Discovery*, presented extreme poverty as the distress of the scene; and the moral of his piece was to inculcate, that poverty was not to be shunned, nor wealth pursued, at the expence of honesty and virtue. A modern audience did not relish a distress so real, but gave their tears to the widow of St. Valeri, who was mad for the loss of a husband killed twenty years before. From the same cause, the Gamester, one of the best and most moral of our later tragedies, though successfully represented by the greatest players, has never become popular. And even now the part of Mrs. Beverley, (the first character of the first actress in the world), is performed to indifferent houses.

“The tragic poet is striving to distress his hero that he may move his audience: it is not his business to equalize the affliction to the evil that occasions it; the effect is what he is to exhibit, which he is to clothe in the flowing language of poetry, and the high colouring of imagination; and if the cause be not very disproportionate indeed, the reader, or the spectator, will not find fault with it. Castalio, in the *Orphan*, (a play so grossly immoral, that it were unfair in me to quote it, except as illustrative of this single argument), is mad with anguish and with rage, because his wife's maid refuses him access to her apartment, according to the

previous appointment they had made; and Oroimane, in *Zayre*, remains “immobile; en sa langue glacée,” because his bride begs him to defer their marriage for a day. Yet these were disappointments which the lover of *Otway*, and much more the hero of *Voltaire*, might surely have borne with greater fortitude.

“If we are to apply all this in example, it seems to have a tendency to weaken our mind to our own sufferings, without opening it to the sufferings of others. The real evils which the dignity of the scene hides from our view, are those which we ought to pity in our neighbours; the fantastic and imaginary distresses which it exhibits, are those we are apt to indulge in ourselves. Here then tragedy adds to the list of our calamities, without increasing the catalogue of our virtues.

“As tragedy thus dignifies the distresses, so it elevates the actions of its personages, their virtues and their vices. But this removes virtue at a greater distance from us, and brings vice nearer; it exalts the first to a point beyond our imitation, and ennobles the latter to a degree above our abhorrence. Shakespeare, who generally discriminates strongly the good and ill qualities of his characters, has yet exhibited a *Macbeth*, a tyrant and a murderer, whom we are disposed rather to pity than to hate. ‘Modern tragedy,’ says a celebrated critic, ‘has become more a school of virtue than the ancient, by being more the theatre of passion: an *Othello*, hurried by jealousy to murder his innocent wife; a *Jafier*, ensnared by resentment and want to engage in a conspiracy, and then stung with remorse and involved in ruin; a *Siffredi*,

through the deceit which he employs for public-spirited ends, bringing destruction on all whom he loved: these are the examples which tragedy now displays, by means of which it inculcates on men the proper government of their passions.' I am afraid, if we appeal to the feelings of the audience at the conclusion of any of those pieces, we shall not find the effect to be what is here supposed. Othello we rather pity for his jealousy, than hate as a murderer. With Jaffier and his associates we are undoubtedly leagued against the rulers of Venice; and even the faith and tenderness of Belvidera hardly make us forgive her for betraying their secret. The sentiments of Siffredi, however wise and just, are disregarded where they impeach the dignity and supereminence of love. His deceit indeed is blamed, which is said to be the moral of the piece: but it is blamed because it hindered the union of Tancred and Sigismunda, which, from the very beginning of the play, is the object in which the reader or spectator is interested. Reverse the situation, make it a contrivance to defeat the claim of the tyrant's daughter, to give the throne to Tancred, and to place Sigismunda there at his side, the audience would admire its ingenuity, and rejoice in its success.

In the mixture of a plot, and amidst the variety of situations, where weaknesses are flattered and passions indulged, at the same time that virtues are displayed and duties performed, one set of readers will enjoy the pleasure of the first, while those only who have less need to be instructed will seize the instruction of the latter. When Marcus dies for his country, the ladies in the side-boxes only consider his death

as removing the bar to the marriage of Lucia with his brother Portius.

"In tragedy as in novel, which is sometimes a kind of tragedy, the author is obliged, in justification of weak characters, to elevate villainous ones, or to throw round their vices a bewitching address, and captivating manners. Lovelace is made a character which the greater number of girls admire, in order to justify the seduction of Clarissa. Lothario, though very inferior, is something of the same cast, to mitigate the crime of Calista. The story would not be probable else;—granted: but in proportion to the art of the poet, in rendering it probable, he heightens the immoral effect, of which I complain.

"As the incidents must be formed, so must the sentiments be introduced, according to the character and condition of the person speaking them, not according to the laws of virtue, or the dictates of prudence. To give them this propriety, they must often be apologies for vice and for fraud, or contain ridicule against virtue and honesty. It is not sufficient to answer, that if the person uttering them is punished in the course, or at the end of the play, the expiation is sufficiently made; if the sentiments at the time are shrewdly imagined, and forcibly expressed, they will have a powerful effect on the mind, and leave impressions which the retribution of poetical justice will hardly be able to efface.

"On poetical justice, indeed, I do not lay so much stress as some authors have done. I incline to be of the opinion of one of my predecessors, that we are frequently more roused to a love of virtue, and a hatred of vice, when virtue is unfortunate, and vice successful, than

'when each receives the recompence it merits. But I impute more to striking incidents, to the sentiments running through the tenor of a piece, than to the general impression of its denouement. Mous. d'Alembert says, that in any sort of spectacle which would leave the poet more at liberty than tragedies taken from history, in the Opera, for example, the author would not easily be pardoned for allowing vice to go unpunished. 'I remember to have 'seen,' continues he, 'a MS. opera 'of Atreus, where that monster per- 'rished by a thunderbolt, exclaim- 'ing, with a savage satisfaction,

' Tonnez, Dieux impuissans :

' Frappez ; je suis vengé !'

' This would have made one of the 'happiest denouements that can well 'be imagined.' As to theatrical effect, I am quite of his opinion ; but as to the moral, I cannot agree with him. The line which he quotes, brilliant, forcible, and bold, would have remained with the audience, not to recal the punishment of guilt, but to mark the pleasure of revenge.

" But it is not only from the vices or imperfections of tragic characters that we are to fear the danger of familiarising the approach of evil, or encouraging the growth of error. Their very virtues, I fear, are often dangerous to form the principles, or draw the imitation of their readers. Theirs are not so much the useful, the productive virtues (if I may be allowed the expression) of real life, as the shining and showy qualities which attract the applause, or flatter the vanity of the unthinking. The extreme, the enthusiasm even of a laudable propensity, takes from its usefulness to others, and degen-

rates into a blind and headlong indulgence in the possessor. In the greatest part of modern tragedies, such are the qualities of the persons that are most in favour with the public. In what relates to passive excellence, prudence to avoid evils, or fortitude to bear them, are not the virtues of tragedy, conversant as it is with misfortune ; it is proud to indulge in sorrow, to pour its tears without the controul of reason, to die of disappointments which wisdom would have overcome. There is an æra in the life of most young people, and those too the most amiable, where all this is their creed of excellence, generosity, and heroism, and that creed is drawn from romance and tragedy.

" In the remarks which in this and two former papers I have made on Novel and on Tragedy, two of the most popular of all kinds of writing, I have ventured, in the hardihood of a moralist, rather beyond the usual caution of a periodical paper, that wishes to conciliate the favour of the public. By those whose daily and favourite reading is crossed by my observations, I shall be asked, if I mean to proscribe every novel and every tragedy, or of what kind of each I am disposed to allow the perusal, and to what class of readers their perusal may be trusted ? To such I would answer in general, that if I had influence enough to abridge the list of both species of reading, I believe neither morals nor taste would suffer by the restriction. I have pointed out the chief dangers to which I conceive the perusal of many such works is liable.

" I am not, however, insensible of the value, perhaps but too sensible of the power, of these productions of fancy and of genius. Nor am I so much a bigot to the opinions

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I have delivered, as to deny that there are uses, noble uses, which such productions may serve, amidst the dangers to which they sometimes expose their readers. The region of exalted virtue, of dignified sentiment, into which they transport us, may have a considerable effect in changing the cold and unfeeling temperament of worldly minds; the indifferent and the selfish may be warmed and expanded by the fiction of distress, and the eloquence of feeling. In the present age, and among certain ranks, indifference and selfishness have become a sort of virtues, and fashion has sometimes taught the young to pride themselves on qualities so unnatural to them. To combat these "Giants of the Rock," romance and tragedy may be very usefully employed; and that race must have become worthless and degenerate indeed, whom their terrors shall fail to rouse, and their griefs to melt.

"Nor, as an amusement, can the elegance of that which is drawn from the perusal of a well-written novel, or the representation of a

well-composed tragedy, be disputed. It certainly is as much a nobler, as it is a more harmless employment of time, than its waste in frivolous dissipation, or its abuse in the vigils of play. But there is a certain sort of mind common in youth, and that too of the most amiable kind, tender, warm, and visionary, to which the walks of fancy and enthusiasm, of romantic love, of exaggerated sorrow, of trembling sensibility, are very unsafe. To readers of this complexion, the amusement which the works above mentioned afford, should, I think, be sparingly allowed, and judiciously chosen. In such bosoms, feeling or susceptibility must be often repressed or directed; to encourage it by premature or unnatural means, is certainly hurtful. They resemble some luxuriant soils which may be enriched beyond a wholesome fertility, till weeds are their only produce; weeds, the more to be regretted, as, in the language of a novelist himself, "they grow in the soil from which virtue should have sprung."

PECULIAR FEATURES of ENGLISH LANDSCAPE.

[From the First Volume of Gilpin's Observations relative chiefly to Picturesque Beauty.]

"ONE of these peculiar features arises from the intermixture of wood and cultivation, which is found oftener in English landscape, than in the landscape of other countries. In France, in Italy, in Spain, and in most other places, cultivation, and wood have their separate limits. Trees grow in detached wood; and cultivation

occupies vast, unbounded common fields. But in England, the custom of dividing property by hedges, and of planting hedge-rows, so universally prevails, that almost wherever you have cultivation, there also you have wood.

"Now although this regular intermixture produces often deformity on the nearer grounds; yet, at a distance

a distance it is the source of great beauty. On the spot, no doubt, and even in the first distances, the marks of the space, and the plough; the hedge, and the ditch; together with all the formalities of hedge-row trees, and square divisions of property, are disgusting in a high degree. But when all these regular forms are softened by distance—when hedge-row trees begin to unite, and lengthen into streaks along the horizon—when farm-houses, and ordinary buildings lose all their vulgarity of shape, and are scattered about, in formless spots, through the several parts of a distance—it is inconceivable what richness, and beauty, this mass of deformity, when melted together, adds to landscape. One vast tract of wild, uncultivated country, unless either varied by large parts, or under some peculiar circumstances of light, cannot produce the effect. Nor is it produced by unbounded tracts of cultivation; which, without the intermixture of wood, cannot give richness to distance.—Thus English landscape affords a species of rich distance, which is rarely to be found in any other country.—You have likewise from this intermixture of wood and cultivation, the advantage of being sure to find a tree or two, on the foreground, to adorn any beautiful view you may meet with in the distance.

“Another peculiar feature in the landscape of this country, arises from the great quantity of English oak, with which it abounds. The oak of no country has equal beauty: nor does any tree answer all the purposes of scenery so well. The oak is the noblest ornament of a fore-ground; spreading, from side to side, its tortuous branches; and foliage, rich with some autumnal

tint. In a distance also it appears with equal advantage; forming itself into beautiful clumps, varied more in shape: and perhaps more in colour, than the clumps of any other tree. The pine of Italy has its beauty, hanging over the broken pediment of some ruined temple. The chestnut of Calabria is consecrated by adorning the foregrounds of Salvator. The elm, the ash, and the beech, have all their respective beauties: but no tree in the forest is adapted to all the purposes of landscape, like English oak.

Among the peculiar features of English landscape, may be added the embellished garden, and park-scene. In other countries the environs of great houses are yet under the direction of formality. The wonder-working hand of art, with its regular cascades, spouting fountains, flights of terraces, and other achievements, hath still possession of the gardens of kings, and princes. In England alone the model of nature is adopted.

This is a mode of scenery intirely of the sylvan kind. As we seek among the wild works of nature for the sublime, we seek here for the beautiful: and where there is a variety of lawn, wood, and water; and these naturally combined; and not too much decorated with buildings, nor disgraced by fantastic ornaments; we find a species of landscape, which no country, but England, can display in such perfection: not only because this just taste in decoration prevails nowhere else; but also, because nowhere else are found such proper materials. The want of English oak, as we have just observed, can never be made up, in this kind of landscape especially. Nor do we any where find so close and rich a

verdure. An easy swell may, every where, be given to ground: but it cannot every where be covered with a velvet turf, which constitutes the beauty of an embellished lawn.

"The moisture, and vapoury heaviness of our atmosphere, which produces the rich verdure of our lawns; gives birth also to another peculiar feature in English landscape—that obscurity, which is often thrown over distance. In warmer climates especially, the air is purer. Those mists and vapours which steam from the ground at night, are dispersed with the morning-sun. Under Italian skies very remote objects are seen with great distinctness. And this mode of vision, no doubt, has its beauty; as have all the works, and all the operations of nature.—But, at best, this is only one mode of vision. Our grosser atmosphere (which likewise hath its seasons of purity) exhibits various modes; some of which are in themselves more beautiful, than the most distinct vision.

"The several degrees of obscurity, which the heaviness of our atmosphere gives to landscape, may be reduced to three—haziness, mists, and fogs.

"Haziness just adds that light, grey tint—that thin, dubious veil, which is often beautifully spread over landscape. It hides nothing. It only sweetens the hues of nature—it gives a consequence to every common object, by giving it a more indistinct form—it corrects the glare of colours—it softens the harshness of lines; and above all, it throws over the face of landscape that harmonizing tint, which blends the whole into unity, and repose.

"Mist goes farther. It spreads still more obscurity over the face of nature. As haziness softens, and adds a beauty perhaps to the

correctest form of landscape; mist is adapted to those landscapes, in which we want to hide much; to soften more; and to throw many parts into a greater distance, than they naturally occupy.

"Even the fog, which is the highest degree of a gross atmosphere, is not without its beauty in landscape; especially in the mountain-scenes, which are so much the objects of the following remarks. When partial, as it often is, the effect is grandest. When some vast promontory, issuing from a cloud of vapour, with which all its upper parts are blended, shoots into a lake; the imagination is left at a loss to discover, whence it comes, or to what height it aspires. The effect rises with the obscurity, and the view is sometimes wonderfully great.

"To these natural features, which are, in a great degree, peculiar to the landscape of England, we may lastly add another, of the artificial kind—the ruins of abbeys; which, being naturalized to the soil, might indeed, without much impropriety, be classed among its natural beauties.

"Ruins are commonly divided into two kinds; castles, and abbeys. Of the former few countries perhaps can produce so many, as this island; for which various causes may be assigned. The feudal system, which lasted long in England, and was carried high, produced a number of castles in every part. King Stephen's reign contributed greatly to multiply them. And in the northern countries, the continual wars with Scotland had the same effect. Many of these buildings, now fallen into decay, remain objects of great beauty.

"In the ruins of castles however, other countries may compare with ours. But in the remains of abbeys no country certainly can.

"Where popery prevails, the abbey is still intire and inhabited; and of course less adapted to landscape.

"But it is the mode of architecture, which gives such excellence to these ruins. The Gothic style, in which they are generally composed, is, I apprehend, unrivalled among foreign nations; and may be called a peculiar feature in English landscape.

"Many of our ruins have been built in what is often called the Saxon style. This is a coarse, heavy mode of architecture; and seldom affords a beautiful ruin. In general, the Saxon prevails most in the northern counties; and the Gothic in the southern: though each division of the kingdom affords some instances of both: and in many we find them mixed.

"What we call Saxon architecture seems to have been the awkward imitation of Greek, and Roman models. What buildings of Roman origin were left in England, were probably destroyed by the ruthless Saxon in his early ravages. Afterwards, when Alfred the Great, having established government, and religion, turned his view to arts, we are told he was obliged to send to the continent for architects. In what species of architecture the buildings of this prince were composed, we know not: but probably in a purer style, than what we now call Saxon; as Alfred lived nearer Roman times; and perhaps possessed in his own country some of those beautiful models, which might have escaped the rage of his ancestors. Even now, amidst all that heaviness, and barbarism, which

we call Saxon, it is not difficult to trace some features of Roman origin. Among the ruins of Brinkburn abbey, between Rothbury, and Warkworth, in Northumberland, we discover in some parts even Roman elegance.

"This species of architecture is supposed to have continued till the time of the Crusades; when a new style of ornament at least, fantastic in the highest degree, began to appear. It forms a kind of composite with the Saxon; and hath been called by some antiquarians the Saracenic: though others disallow the term. Many ruins of this kind are still existing.

"The English architect however began, by degrees, to strike out a new mode of architecture for himself; without searching the continent for models. This is called the Gothic; but for what reason, it is hard to say: for the Goths, who were never in England, had been even forgotten, when it was invented; which was about the reign of Henry II. It is besides found no where, I believe, but in England; except in such parts of France, as were in possession of the English.

"In this beautiful species of architecture the antiquarian points out three periods.

"When it first appeared, the round Saxon arch began to change into the pointed one; and the short, clumsy pillar began to cluster; but still the Saxon heaviness in part prevailed. Salisbury cathedral, which was finished about the year 1250, is generally considered as a very pure specimen of the Gothic, in it's first, and ruder form.

"By degrees improvements in architecture were introduced. The east-window being enlarged, was trailed over with beautiful scrawl-work;

work; while the clustered-pillar began to increase in height, and elegance; and to arch, and ramify along the roof. In short, an entire new mode of architecture, purely British, was introduced. The grandeur of the Roman—the heaviness of the Saxon—and the grotesque ornament of the Saracenic, were all equally relinquished. An airy lightness pervaded the whole; and ornaments of a new invention took place. The cathedral of York, and part of Canterbury, among many others, are beautiful examples of this period of Gothic architecture.

“About the time of the later Henries, the last period began to obtain; in the architecture of which the flat, stone roof, and a variety of different ornaments were the chief characteristics. Of this enriched style King’s college chapel in Cambridge, and Henry VII.’s at Westminster, are two of the most elegant examples. The flat, stone roof is generally, even at this day, considered, as a wonderful effort of art. It is said, that Sir Christopher Wren himself could not conceive it. He would say, “Tell me where to place the first stone;

“and I will follow it with a second.”

“This style is generally considered as the perfection of Gothic architecture. I own, it rather appears to me the decline of the art. The ornaments so affectedly introduced, and patched on; as the rose and portcullis in King’s college chapel, have not, in my eye, the beauty of the middle style; in which every ornament arises naturally from the several members of the building; and makes a part of the pile itself. Nor has the flat roof, with all its ornaments, in my opinion, the simplicity and beauty of the ribbed, and pointed one.

“Abbeys formerly abounded so much in England, that a delicious valley could scarce be found, in which one of them was not stationed. The very sites of many of these ancient edifices are now obliterated by the plough; yet still so many elegant ruins of this kind are left, that they may be called, not only one of the peculiar features of English landscape; but may be ranked also among its most picturesque beauties.”

PHILOSOPHICAL PAPERS.

Dr. HERSCHEL's ACCOUNT of the DISCOVERY of TWO SATELLITES revolving round the GEORGIAN PLANET.

[From the Seventy-seventh Volume of the Philosophical Transactions,]

“THE great distance of the Georgian planet, and its present situation in a part of the zodiac which is scattered over with a multitude of small stars, has rendered it uncommonly difficult to determine whether, like Jupiter and Saturn, it be attended by satellites. In pursuit of this inquiry, having frequently directed large telescopes to this remote planet, and finding myself continually disappointed, I ascribed my failure to the want of sufficient light in the instruments I used; and, for a while, gave over the attempt.

“In the beginning of last month, however, I was often surprised when I reviewed nebulae that had been seen in former sweeps, to find how much brighter they appeared, and with how much greater facility I saw them. The cause of it could be no other than the quantity of light that was gained by laying aside the small speculum, and introducing the front-view; an account of which has been inserted, by way of note, to the catalogue of nebulae contained in the Philosophical Transactions, vol. lxxvi. p. 499.

“It would not have been pardonable to neglect such an advantage, when there was a particular object in view, where an accession of light was of the utmost consequence; and I wondered why it had not struck me sooner. The 11th of January, therefore, in the course of my general review of the heavens, I selected a sweep which

led to the Georgian planet; and, while it passed the meridian, I perceived near its disk, and within a few of its diameters, some very faint stars whose places I noted down with great care.

“The next day, when the planet returned to the meridian, I looked with a most scrutinizing eye for my small stars, and perceived that two of them were missing. Had I been less acquainted with optical deceptions, I should immediately have announced the existence of one or more satellites to our new planet: but it was necessary, that I should have no doubts. The least haziness, otherwise imperceptible, may often obscure small stars; and I judged, therefore, that nothing less than a series of observations ought to satisfy me, in a case of this importance. To this end I noticed all the small stars that were near the planet the 14th, 17th, 18th, and 24th of January, and the 4th and 6th of February; and though, at the end of this time, I had no longer any doubt of the existence of at least one satellite, I thought it right to defer this communication till I could have an opportunity of seeing it actually in motion. Accordingly I began to pursue this satellite on Feb. the 7th, about six o'clock in the evening, and kept it in view till three in the morning on Feb. the 8th; at which time, on account of the situation of my house, which intercepts a view of part of the ecliptic, I was obliged to give over the chase; and during

during those nine hours I saw this satellite faithfully attend its primary planet, and at the same time keep on, in its own course, by describing a considerable arch of its proper orbit.

"While I was chiefly attending to the motion of this satellite, I did not forget to follow another small star, which I was pretty well assured was also a satellite, especially as I had, on the night of the 14th of January, observed two small stars which were wanting the 17th, and again missed other two the 24th which had been noticed the 18th; but, whether owing to my great attention to the former satellite, or to the closeness of this latter, which was nearly hidden in the rays of the planet, I could not be well assured of its motion. Indeed, towards morning, when a change of place, in so considerable an interval as nine hours, would have been most conspicuous, the moon interfered with the faint light of this satellite, so that I could no longer perceive it.

"The first moment that offered for continuing these observations was on Friday the 9th, when I saw my first discovered satellite nearly in the place where I expected to find it. I perceived also, that the next supposed satellite was not in the situation where I had left it on the 7th, and could now distinguish very plainly that it had advanced in its orbit, since that day, in the same direction with the other satellite, but at a quicker rate. Hence it is evident, that it moves in a more contracted orbit; and I shall therefore call it in future the first satellite, though last discovered, or rather last ascertained; since I do not doubt but that I saw them both, for the first time, on the same day, which was January the 11th, 1787.

"I now directed all my atten-

tion to the first satellite, and had an opportunity to see it for about three hours and a quarter; during which time, as far as one might judge, it preserved its course. The interval which the cloudy weather had afforded was, however rather too short for seeing its motion sufficiently, so that I deferred a final judgment till the 10th; and, in order to put my theory of these two satellites to a trial, I made a sketch on paper, to point out before-hand their situation with respect to the planet, and its parallel of declination.

"The long expected evening came on, and, notwithstanding the most unfavourable appearance of dark weather, it cleared up at last. And the heavens now displayed the original of my drawing, by shewing, in the situation I had delineated them, the Georgian planet attended by two satellites.

"I confess that this scene appeared to me with additional beauty, as the little secondary planets seemed to give a dignity to the primary one, which raises it into a more conspicuous situation among the great bodies of our solar system.

"I have not seen them long enough, to assign their periodical times with great accuracy; but suppose that the first performs a synodical revolution in about eight days and three-quarters, and the second in nearly thirteen days and an half.

"Their orbits make a considerable angle with the ecliptic; but to assign the real quantity of this inclination, with many other particulars, will require a great deal of attention, and much contrivance: for, as estimations by the eye cannot but be extremely fallacious, I do not expect to give a good account of their orbits till I can bring some of my micrometers to bear upon them; which, these last nights, I have

have in vain attempted, their light being so feeble as not to suffer the least illumination, and that of the planet not being strong enough to render the small silk-worm's threads

of my delicate micrometers visible. I have, nevertheless, several resources in view, and do not despair of succeeding pretty well in the end."

Dr. HERSCHEL'S ACCOUNT of THREE VOLCANOS in the MOON.

[From the same Work.]

"IT will be necessary to say a few words by way of introduction to the account I have to give of some appearances upon the moon, which I perceived the 10th and 20th of this month. The phenomena of nature, especially those that fall under the inspection of the astronomer, are to be viewed, not only with the usual attention to facts as they occur, but with the eye of reason and experience. In this we are however not allowed to depart from plain appearances; though their origin and signification should be indicated by the most characterising features. Thus, when we see, on the surface of the moon, a great number of elevations, from half a mile to a mile and an half in height, we are strictly intitled to call them mountains; but, when we attend to their particular shape, in which many of them resemble the craters of our volcanos, and thence argue, that they owe their origin to the same cause which has modelled many of these, we may be said to see by analogy, or with the eye of reason. Now, in this latter case, though it may be convenient, in speaking of phenomena, to use expressions that can only be justified by reasoning upon the facts themselves, it will certainly be the safest way not to neglect a full description of them, that it may appear to others how far we have been authorized to use the mental eye. This being premised, I may safely proceed to give my observations.

April 19, 1787, 10h. 36' sidereal time.

"I perceive three volcanos in different places of the dark part of the new moon. Two of them are either already nearly extinct, or otherwise in a state of going to break out: which perhaps may be decided next lunation. The third shews an actual eruption of fire, or luminous matter. I measured the distance of the crater from the northern limb of the moon, and found it $3' 57''$. Its light is much brighter than the nucleus of the comet which M. Méchain discovered at Paris the 10th of this month.

April 20, 1787, 10 h. 2' sidereal time.

"The volcano burns with greater violence than last night. I believe its diameter cannot be less than $3''$, by comparing it with that of the Georgian planet; as Jupiter was near at hand, I turned the telescope to his third satellite, and estimated the diameter of the burning part of the volcano to be equal to at least twice that of the satellite. Hence we may compute that the shining or burning matter must be above three miles in diameter. It is of an irregular round figure, and very sharply defined on the edges. The other two volcanos are much farther towards the center of the moon, and resemble large, pretty faint nebulae, that are gradually much brighter in the middle; but no well defined luminous spot can be

be discerned in them. These three spots are plainly to be distinguished from the rest of the marks upon the moon; for the reflection of the sun's rays from the earth is, in its present situation, sufficiently bright with a ten-feet reflector, to shew the moon's spots, even the darkest of them: nor did I perceive any similar phenomena last lunation, though I then viewed the same places with the same instrument.

"The appearance of what I have called the actual fire or eruption of a volcano, exactly resembled a small piece of burning charcoal, when it is covered by a very thin coat of white ashes, which frequently adhere to it when it has been some time ignited; and it had a degree of brightness, about as strong as that with which such a coal would be seen to glow in faint daylight.

"All the adjacent parts of the volcanic mountain seemed to be faintly illuminated by the eruption, and were gradually more obscure as they lay at a greater distance from the crater.

"This eruption resembled much that which I saw on the 4th of May, in the year 1783; an account of which, with many remarkable particulars relating to volcanic mountains in the moon, I shall take an early opportunity of communicating to this society. It dif-

fered, however, considerably in magnitude and brightness; for the volcano of the year 1783, though much brighter than that which is now burning, was not nearly so large in the dimensions of its eruption: the former seen in the telescope resembled a star of the fourth magnitude as it appears to the natural eye; this, on the contrary, shews a visible disk of luminous matter, very different from the sparkling brightness of star-light.

P. S. M. Méchain having favoured me with an account of the discovery of his comet, I looked for it among the Pleiades, supposing its track since the 10th of this month to lie that way; and saw it April 19th, at 10 h. 10' sidereal time, when it preceded FL *d* Pleiadum about 54" in time, with nearly the same declination as that star; but no great accuracy was attempted in the determination of its place. As I have mentioned the comet in a foregoing paragraph of this paper, I thought it proper here to add my observation of it. "The comet is nearly round, with "a small tail towards the north "following part: the chevelure "extends to about four or five "minutes; and it has a central, "very small, ill-defined nucleus, "of no great brightness."

EXPERIMENTS on the MOISTURE absorbed from the ATMOSPHERE by various SUBSTANCES. By Sir BENJAMIN THOMPSON, Knt. F.R.S.

[From the same Work.]

"**B**EING engaged in a course of experiments, upon the conducting powers of various bodies with respect to heat, and particularly of such substances as are commonly made use of for cloathing,

in order to see if I could discover any relation between the conducting powers of those substances, and their power of absorbing moisture from the atmosphere, I made the following experiments.

"Having provided a quantity of each of the undermentioned substances, in a state of the most perfect cleanness and purity, I exposed them, spread out upon clean China-plates, twenty-four hours in the dry air of a very warm room (which had been heated every day for several months by a German stove), the last six hours the heat being kept up to 85° of Fahrenheit's thermometer; after which I entered the room with a very accurate balance, and weighed equal quantities of these various substances, as expressed in the following table.

"This being done, and each substance being equally spread out upon a very clean China plate, they were removed into a very large uninhabited room upon the second floor, where they were exposed 48

hours, upon a table placed in the middle of a room, the air of the room being at the temperature of 45° F.; after which they were carefully weighed (in the room and were found to weigh as under mentioned.

"They were then removed into a very damp cellar, and placed upon a table, in the middle of a vault, where the air, which appeared by the hygrometer to be completely saturated with moisture, was at the temperature of 45° F.; and in this situation they were suffered to remain three days and three nights, the vault being hung round, during all this time, with wet linen cloths, to render the air as damp as possible, and the door of the vault being shut.

"At the end of the three days I entered the vault, with the balance, and weighed the various substances upon the spot, when they were found to weigh as is expressed in the third column of the following table.

The various substances.	Weight after being dried 24 hours in a hot room.	Weight after being exposed 48 hours in a cold, uninhabited room.	Weight after being exposed 72 hours in a damp cellar.
	Pts.	Pts.	Pts.
Sheep's wool - - -	1000	1084	1163
Beaver's fur - - -	1000	1072	1125
The fur of a Russian hare -	1000	1065	1115
Eider down - - -	1000	1067	1112
Silk { Raw, single thread -	1000	1057	1107
{ Ravelings of whicetaffety -	1000	1054	1103
Linen { Fine lint -	1000	1046	1102
{ Ravelings of fine linen -	1000	1044	1082
Cotton wool - - -	1000	1043	1089
Silver wire, very fine, gilt, and flatted, being the ravelings of gold lace. }	1000	1000	1000

N. B. The weight made use of in these experiments was that of Cologne, the parts or least divisions being $= \frac{1}{81176}$ part of a mark, consequently 1000 of these parts make about $52\frac{1}{2}$ grains of Troy.

"I did not add the silver wire to the bodies above mentioned from any idea that that substance could possibly imbibe moisture from the atmosphere; but I was willing to see whether a metal, placed in air saturated with water, is not capable of receiving a small addition of weight from the moisture attracted by it, and attached to its surface; from the result of the experiment, however, it should seem that no such attraction subsists between the metal I made use of, and the watery vapour dissolved in air.

"I was totally mistaken in my conjectures relative to the results of the experiments with the other substances. As linen is known to attract water with so much avidity; and as, on the contrary, wool, hair, feathers, and other like animal substances, are made wet with so much difficulty, I had little doubt but that linen would be found to attract moisture from the atmosphere with much greater force than any of those substances; and that, under similar circumstances, it would be found to contain much more water: and I was much confirmed in this opinion upon recollecting the great difference in the apparent dampness of linen and of woollen clothes, when they are both exposed to the same atmosphere. But these experiments have convinced me, that all my speculations were founded upon erroneous principles.

"It should seem, that those bodies which are the most easily wet, or which receive water, in its unelastic form, with the greatest ease, are not those which in all cases at-

tract the watery vapour dissolved in the air with the greatest force.

"Perhaps the apparent dampness of linen, to the touch, arises more from the ease with which that substance parts with the water it contains, than from the quantity of water it actually holds: in the same manner as a body appears hot to the touch, in consequence of its parting freely with its heat, while another body, which is actually at the same temperature, but which withholds its heat with greater obstinacy, affects the sense of feeling much less violently.

"It is well known, that woollen clothes, such as flannels, &c. worn next the skin, greatly promote insensible perspiration. May not this arise principally from the strong attraction which subsists between wool and the watery vapour which is continually issuing from the human body?

"That it does not depend entirely upon the warmth of that covering, is clear; for the same degree of warmth, produced by wearing more clothing of a different kind, does not produce the same effect.

"The perspiration of the human body being absorbed by a covering of flannel, it is immediately distributed through the whole thickness of that substance, and by that means exposed by a very large surface to be carried off by the atmosphere; and the loss of this watery vapour, which the flannel sustains on the one side, by evaporation, being immediately restored from the other, in consequence of the strong attraction between the flannel and this vapour, the pores of the skin are disencumbered, and they are continually surrounded by a dry, warm, and salubrious atmosphere.

"I am astonished, that the custom of wearing flannel next the skin
● should

should not have prevailed more universally. I am confident it would prevent a multitude of diseases; and I know of no greater luxury than the comfortable sensation which arises from wearing it, especially after one is a little accustomed to it.

"It is a mistaken notion, that it is too warm a cloathing for summer. I have worn it in the hottest climates, and in all seasons of the year, and never found the least inconvenience from it. It is the warm bath of a perspiration confined by a linen shirt, wet with sweat, which renders the summer heats of southern climates so insupportable; but flannel promotes perspiration, and favours its evaporation; and evaporation, as is well known, produces positive cold.

"I first began to wear flannel, not from any knowledge which I had of its properties, but merely upon the recommendation of a very able physician (Sir Richard Jebb); and when I began the experiments of which I have here given an account, I little thought of discovering the physical cause of the good effects which I had experienced from it; nor had I the most distant idea of mentioning the circumstance. I shall be happy, however, if what

I have said, or done, upon the subject, should induce others to make a trial of what I have so long experienced with the greatest advantage, and which, I am confident, they will find to contribute greatly to health, and consequently to all the other comforts and enjoyments of life.

"I shall then think these experiments, trifling as they may appear, by far the most fortunate, and the most important ones I have ever made.

"With regard to the original object of these experiments, the discovery of the relation which I thought might possibly subsist between the warmth of the substances in question, when made use of as cloathing, and their powers of attracting moisture from the atmosphere; or, in other words, between the quantities of water they contain, and their conducting powers with regard to heat; I could not find that these properties depended in any manner upon, or were in any way connected with, each other.

"The result of my experiments upon the conducting powers of these substances, I reserve for a future communication."

On the PRODUCTION of BORAX. In a Letter from WILLIAM BLAZE, Esq.

[From the same Work.]

"MY journey to the northern mountains in January last, in attendance upon the vizier, gave me an opportunity of satisfying, in some degree, my curiosity on the subject you are so desirous of being
1787.

informed of, the production and manufacture of borax. The place which his excellency visited is called Betowle, and is a small principality in the first of the northern mountains, where they rise from the plains
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plains of Hindostan, and is distant from Lucknow about two hundred miles N. E. The town is a principal mart, where the commodities of the mountains are exchanged for those of the plain. The raja, or prince of the country, holds his possessions in the hills as an independent sovereign; but for those on the plain he owes fealty, and pays tribute to the vizier. He therefore embraced this opportunity of paying homage in person to his lord. During his stay at court, I had an opportunity of making the enquiries I wished from his people, and particularly from his dewan or minister, who had with him some of the inhabitants of the place where the borax is made.

“This saline substance, called in the language of this country *swagab*, is brought into Hindostan from the mountains of Tibet. The place where it is produced is in the kingdom of Jumlate, distant from Betowle about thirty days journey north. Jumlate is the largest of the kingdoms in that part of the Tibet mountains, and is considered as holding a superiority over all the rest.

“The place where the borax is produced is described to be in a small valley, surrounded with snowy mountains, in which is a lake, about six miles in circumference, the water of which is constantly hot, so much so that the hand cannot be held in it for any time. The ground round the banks of the lake is perfectly barren, not producing even a blade of grass; and the earth is full of a saline matter in such plenty that, after falls of rain or snow, it concretes in white flakes upon the surface, like the natron in Hindostan. Upon the banks of this lake, in the winter season, when the falls of snow begin, the earth is formed

into small reservoirs, by raising it into banks about six inches high; when these are filled with snow, the hot water from the lake is thrown upon it, which, together with the water from the melted snow, remains in the reservoir, to be partly absorbed by the earth, and partly evaporated by the sun; after which there remains at the bottom a cake of sometimes half an inch thick, of crude borax, which is taken up and reserved for use. It can only be made in the winter season, because the falls of snow are indispensably requisite, and also because the saline appearances upon the earth are strongest at that season. When once it has been made upon any spot, in the manner above described, it cannot be made again upon the same place, till the snow shall have fallen upon it and dissolved three or four times; after which the saline efflorescence reappears, and it is again fit for the operation.

“The borax in the state above described, is transported from hill to hill upon goats, and passes through many different hands before it reaches the plains, which increases the difficulty of obtaining authentic information regarding the original manufacture. When brought down from the hills, it is refined from the earth and gross impurities by boiling and crystallisation. I could obtain no answers to any question regarding the quality of the water, and the mineral productions of the soil. All they could say of the former was, that it was very hot, very foul, and as it were greasy; that it boils up in many places, and has a very offensive smell: and the latter remarkable only for the saline appearances above described. That country, however, in general, produces considerable quantities of iron,

METHOD of preventing STONE RETORTS from breaking. [131]

copper, and sulphur. After being purified it sells in the market here for about fifteen rupees per maund; and I am assured, by many of the natives, that all the borax in India comes only from the place above-mentioned.

"I am afraid you will think this at best but a very unsatisfactory and unphilosophical account of the matter; but what can be done, where the only mode of information is through some of the wild and unsettled mountaineers? for the place is inaccessible even to the inhabitants of Hindostan, and has never been visited by any of them, except a few wandering Faquires, who have been sometimes led that way, either to do penance, or to visit some of the temples in the mountains. The cold in winter is described to be so intense that every thing is frozen up, and that life can only be preserved by loads of blankets and skins. In the summer again, the reflection from the sides of the mountains, which are steep and close to each other (there being little or no plain ground betwixt

them), renders the heat insufferable.

"I have not loaded this account with any reflections or conjectures of my own. I have simply given you the narrative of those from whom I had my information; and having put into your possession all the data I have been able to collect upon the subject, you may make what use of them you please.

"I shall conclude with a few observations regarding the credibility of the relation: and, first, that it is really brought from the Tibet mountains is certain, as I have myself often had occasion to see large quantities of it brought down, and have purchased from the Tartar mountaineers, who brought it to market; secondly, I have never heard of its being either produced or brought into this country from any other quarter; and, thirdly, if it was made on the Coromandel coast, as some books mention, I think there can be little doubt, but that the whole process would have been fully enquired into, and given to the public long before this time."

WILLIS's Method of preventing STONE RETORTS from breaking during CHEMICAL OPERATIONS.

[From the Fifth Volume of the Transactions of the Society for the Encouragement of Arts.]

"I Have always found it necessary to use a previous coating for filling up the interstices of the earth or stone, which is made by dissolving two ounces of borax in a pint of boiling water, and adding to the solution as much slaked lime as will make it into a thin paste; this, with a common painter's brush, may be spread over several retorts,

which when dry, are then ready for the proper preserving coating.

"The intention of this first coating is, that the substances thus spread over, readily vitrifying in the fire, prevent any of the distilling matters from pervading the retort, but does in no wise prevent it from cracking.

"Whenever I want to use any

of the above coated retorts; after I have charged them with the substance, to be distilled, I prepare a thin paste, made with common linseed oil and slaked lime well mixed, and perfectly plastic, that it may be easily spread: with this let the retorts be covered all over except that part of the neck which is to be inserted into the receiver, this is readily done with a painter's brush; the coating will be sufficiently dry in a day or two, and they will then be fit for use.

"With this coating, I have for several years worked my stone retorts, without any danger of their breaking, and have frequently used the same retort four or five times; observing particularly to coat it over with the last mentioned composition every time it is charged with fresh materials: before I made use of this expedient, it was an even chance, in conducting operations in stone and earthen retorts, whether they did not crack every time; by which means great loss has been sustained.

"If at any time during the operation, the retorts should crack; spread some of the oil composition thick on the part, and sprinkle some

powder of slaked lime on it, and it immediately stops the fissure and prevents any of the distilling matter from pervading; even that subtle penetrating substance the solid phosphorus will not penetrate through it. It may be applied without any danger, even when the retort is red hot; and when it is made a little stiffer, is more proper for luting vessels than any other I ever have tried; because if properly mixed, it will never crack; nor will it indurate so as to endanger the breaking the necks of the vessels when taken off.

"As the above method of preserving retorts may be of singular service to philosophical chemists, as well as those who practise the science for commercial purposes; it is my wish it should be generally known; as many curious operations may be carried on with greater safety, and at an easier expence. I have communicated it to the duke de Chaulnes, who no doubt will make it known to the French chemists; and shall be happy to hear of its being of advantage to a science so much cultivated in the present age."

Dr. RUSTON's Letter to Dr. FRANKLIN on the CURE of SMOKY CHIMNEYS.

[From Dr. FRANKLIN's Philosophical and Miscellaneous Papers.]

"THE subject of smoky chimneys, of which I had the honour of conversing with you at your own house last evening, is of so much importance to every individual, as well as to every private family, that too much light cannot be thrown upon it.

"A smoky house and a scolding wife,
Are (said to be) two of the greatest
ills in life."

"And however difficult it may be to remedy one of those ills, yet any advances we may be able to make towards removing the inconveniences arising from the other,

can-

cannot fail to be favourably received by the public. As they are shortly to be favoured with your sentiments on that subject, possibly the following observations, which were in fact occasioned by necessity, and are the result of my own experience, may not be altogether undeserving of notice.

"When I left London and went to live in Devonshire, in the latter end of the year 1777, it happened to be my lot to dwell in an old mansion which had been recently modernised, and had undergone a thorough repair. But as in most of the old houses in England, the chimneys, which were perhaps originally built for the purpose of burning wood, though they had been contracted in front, since coal fires came into general use, to the modern size, yet they were still, above, out of sight, extravagantly large. This method of building chimneys may perhaps have answered well enough while it was the custom to sit with the doors and windows open; but when the customs and manners of the people began to be more polished and refined, when buildings and architecture were improved, and they began to conceive the idea of making their chambers close, warm, and comfortable, these chimneys were found to smoke abominably, for want of a sufficient supply of air. This was exactly the case with the house in which I first lived, near Exeter, and I was under the necessity of trying every expedient I could think of to make it habitable.

"The first thing I tried, was that method of contracting the chimneys by means of earthen pots, much in use in England, which are made on purpose, and which are put upon the tops of them; but this method by no means answered.

I then thought of contracting them below, but as the method of contracting them in front to the size of a small coal-fire grate has an unsightly appearance, as it makes a disagreeable blowing like a furnace, and as it is the occasion of consuming a great deal of unnecessary fuel, the heat of which is immediately hurried up the chimney, I rejected this method, and determined to contract them above, a little out of sight. For this purpose I threw an arch across, and also drew them in at the sides. This had some effect, but as this contraction was made rather suddenly, and the smoke, by striking against the corners that were thereby occasioned, was apt to recoil, by which means some part of it was thrown out into the room; I determined to make the contraction more gradually, and therefore run it up at the back, where the depth of the chimney would admit of it, and also shelving or sloping in a conical kind of direction at the sides, as high as a man, standing upright, could conveniently reach, and by this means brought the cavity within the space of about twelve by fourteen or sixteen inches, which I found sufficiently large to admit a boy to go up and down to sweep the chimneys. This method I found to succeed perfectly well, as to curing the chimneys of smoking, and it had this good effect, of making the rooms considerably warmer; as this experiment succeeded so well, since the only use of a chimney is to convey away the smoke, I determined to carry it still farther, in order to ascertain, with precision, how much space is absolutely necessary for that purpose, because all the rest that is shut up must be so much gained in warmth. Accordingly I laid a piece of slate across the remaining aperture, removable

at pleasure, so as to contract the space above two thirds, leaving about three inches by twelve remaining open; but this space, except when the fire burnt remarkably clear, was scarcely sufficient to carry away the smoke. I therefore enlarged it to half the space, that is, to about six by seven or eight inches, which I found fully sufficient to carry away the smoke from the largest fires.

“When I removed into the Bedford Circus in Exeter, though the house was modern, and almost perfectly new, yet the chimneys were large; in consequence of which almost every room of it smoked. My predecessor, who was the first inhabitant, had been at great expence in patent stoves, &c. but without effect; but by adopting the method I have just now described, I not only cured every chimney of smoking, but my house was remarked for being one of the warmest and most comfortable to live in of any in that large and opulent city.

“The house I now live in in Philadelphia, I am told, has always had the character of being both cold and smoky; and I was convinced, as soon as I saw the rooms and examined the chimneys, that it deserved that character; for though the rooms were close, the chimneys were large: and we shall ever find, that if our chimneys are large, our rooms will be cold, even though they should be tolerably close and tight; because the constant rushing in of the cold air at the cracks and crevices, and also at every opening of the door, will be sufficient to chill the air, as fast as it is heated, or to force the heated air up the chimney; but by contracting the chimneys I have cured it of both these defects. There was one remarkable circumstance

attending the contraction of the chimney in the front parlour, which deserves to be attended to; which was, that before I applied the cast iron plate, which I made use of instead of slate, to diminish the space requisite for a chimney-sweeper's boy to go up and down, the suction or draught of air was so great, that it was with difficulty I could shut the door of the room, inasmuch that I at first thought it was owing to a tightness of the hinges, which I imagined must be remedied; but upon applying the iron plate, by which the space was diminished one half, the door shut to with the greatest ease. This extraordinary pressure of the air upon the door of the room, or suction of the chimney, I take to be owing in some measure to the unusual height of the house.

“Upon the whole, therefore, this fact seems clearly ascertained, viz. That the flue or size of the chimney ought always to be proportioned to the tightness and closeness of the room: some air is undoubtedly necessary to be admitted into the room in order to carry up the smoke, otherwise, as you justly observed, we might as well expect smoke to arise out of an exhausted receiver; but if the flue is very large, either the room is tight, and the smoke will not ascend, or it is pretty open, and the consequence will be, that the air of your room will be so frequently and so constantly changed, that as fast as it is heated, it will be hurried away, with the smoke, up the chimney, and of course your room will be constantly cold.

“One great advantage attending this method of curing smoky chimneys is, that, in the first place, it makes no awkward or unsightly appearance, nothing being to be seen but what is usual to chimneys in com-

On the CAUSE of the VARIATION of the NEEDLE. [135]

common ; and, in the second place, that it is attended with very little expence, a few bricks and mortar, with a plate or covering to the aperture, and a little labour, being all that is requisite. But in this new country, where crops of houses may be expected to rise almost as quick as fields of corn, when the

principles upon which chimneys should be erected ought to be thoroughly understood, it is to be hoped, that not only this expence, small as it, but that all the other inconveniences we have been speaking of, will be avoided, by constructing the flues of the chimneys sufficiently small."

THOUGHTS on the CAUSE of the VARIATION of the NEEDLE.

[From CAVALLO's Treatise on Magnetism.]

"THIS wonderful phenomenon has, since it was first discovered, employed the thoughts of very able philosophers ; many hypotheses having been offered, not only for its explanation, but even to foretel the future variations in various parts of the world. I need not detain my reader with a particular history of those hypotheses ; but shall only observe, in general, that neither have their predictions answered, nor were any of them founded upon evident principles. The supposition of a large magnet being inclosed within the body of the earth, and of its relatively moving with respect to the outward shell or crust ; the supposition of there being four moveable magnetic poles within the earth ; the hypothesis of a magnetic power, partly within and partly without the surface of the earth ; together with several other hypotheses on the same subject, are not only unwarranted by actual experiments, but do neither seem analogous to the other operations of nature. The late ingenious Mr. Canton, F.R.S. was the first, who endeavoured to account for the daily variation of the magnetic needle by the heating and

cooling of the magnetic bodies in different parts of the earth's surface ; which was in consequence of his having first observed, that the action of the magnet on the needle was diminished by heating, and increased by cooling.

"Following Mr. Canton's judicious method of deriving the explanation of natural appearances from properties actually proved by experiments, I think, that the increase and diminution of magnetic attraction, by heating and cooling of the magnet, as observed by Mr. Canton, together with the result of the experiments described in the preceding chapter, seem fully sufficient to account for the general variation of the needle.

"If we collect under one point of view all the causes hitherto ascertained, which can increase or diminish the attraction between magnetic bodies, we shall find, that the attraction between the magnet and iron, or between magnet and magnet, is increased by cooling, by a regeneration of iron, or phlogistication of its calx, and, within certain limitations, by the action of acids upon the iron ; that this attraction is diminished by heating,

and by the decomposition of iron; and, lastly, that it is probably annihilated by a very great degree of heat.

“ These truths being premised, it must be considered, first, that, according to innumerable observations and daily experience, the body of the earth contains almost every where ferruginous bodies in various states and bulks. Secondly, that the magnetic needle must be attracted by all those bodies, and its situation or direction must be determined by all those attractions considered together, viz. from their common centre of action. Thirdly, that by removing or altering the degrees of attraction of some of those bodies, which are situate on one side of the magnetic meridian, more than of those situated on the other side, the above-mentioned common centre of attraction, and, of course, the direction of the magnetic needle, must be altered, which, in fact, is the variation of the needle. And, lastly, that this alteration in the attractions of some of the ferruginous bodies in the earth must undoubtedly take place, it being occasioned by the parts of the earth being irregularly heated and cooled, by the action of volcanos, which decompose or otherwise alter large masses of ferruginous substance; by earthquakes, which remove ferruginous bodies from their original places; and we may add also by the *aurora borealis*; for though we are as yet ignorant of the cause of that surprising phenomenon, it is, however, certain, that the magnetic needle has been frequently disturbed when the *aurora borealis* appeared very strong.

“ The magnetic needle, therefore, being necessarily affected by

these causes, and they appearing sufficient to account for its variation, it seems unnecessary to have recourse to other hypothetical causes, which are not established on actual experience.

“ In order to exemplify this explanation of the variation in a familiar manner, I made the following experiment:—Four earthen vessels were disposed round the magnetic needle, two near its south, and the other two near its north pole, but not at equal distances. In one of those vessels there was placed a natural magnet; the second contained several small bits of magnetic steel mixed with earth; and in each of the other two there were put about four ounces of iron filings. Things being thus disposed, and left undisturbed for about half an hour, the needle remained unaltered. Then the pieces of magnetic steel and earth were stirred with a stick, in consequence of which the needle was agitated. After this, some diluted vitriolic acid was poured upon the filings in one of the vessels, the action of which attracted the needle that way; but whilst the needle remained in that situation, some diluted vitriolic acid was poured upon the iron filings in the other vessel, which stood on the other side; in consequence of which the needle went back again towards its former direction. Whilst the effervescences were going on in the two vessels, the magnet in the first vessel was heated by means of boiling water, which occasioned another alteration in the direction of the magnetic needle; and thus, by altering the state of the ferruginous substances in the vessels, the needle's direction was altered, in evident imitation of the natural variation.”

On the PERCEPTIBILITY of VEGETABLES.

[From the Fifth Volume of Dr. WATSON's Chemical Essays.]

“EVERY one thinks that he knows what an animal is, and how it is contradistinguished from a vegetable, and would be offended at having his knowledge questioned thereupon. A dog or a horse, he is truly persuaded, are beings as clearly distinguished from an herb or a tree, as light is from darkness; yet as in these, so in the productions of nature, the transition from one to the other is effected by imperceptible gradations.

“The loco-motive powers which appertain to most animals, whether they proceed from the Cartesian mechanism, or from sensation, are so manifest in quadrupeds, birds, fishes, and insects, that in our first and superficial inquiries into nature, we are apt to consider the possession or want of these powers, as making a decisive and essential difference between animal and vegetable bodies; and it is not without a certain degree of regret, as it were, that we find ourselves obliged to predicate animality concerning a great variety of beings, which are destitute of every power of progressive motion. It at the same time we happen to have entertained some preconceived opinions, no matter whence they have been derived, concerning the usual shapes of animals, (though they are far more different from one another than some of them are from vegetables) our repugnancy to the admitting a being of the outward form of a shrub, into the class of animals, is much increased. Hence have proceeded most of the objections which have been made to the fine discoveries of Personel, Jussieu, Ellis,

and others, relative to the animal nature of corals, madrepores, millepores, corallines, sponges, and a numerous tribe of bodies which the very ingenious labours of Marigli had formerly removed from the mineral kingdom, where they had been placed by Woodward and other mineralists, and allotted to that of vegetables.

“If rejecting spontaneous motion and figure as very inadequate tests of animality, we adopt perception in their stead; no doubt, he would be esteemed a visionary in philosophy who should extend that faculty to vegetables; and yet there are several chemical, physical, and metaphysical reasons which seem to render the supposition not altogether indefensible.

“The greater the quantity of perception existing in the universal system of creation, the greater is the quantity of happiness produced; and the greater the quantity of happiness produced, the greater is the goodness of the Deity in the estimation of beings with our capacities. The latter part of this proposition needs no proof; and the former is liable but to one objection, and that grounded upon a false supposition. If, it may be urged, all the species of percipient beings be not accommodated with objects congruous to their faculties of perception, and productive of more pleasure than pain to the whole species taken collectively, than the animation of that matter of which they consist is an introduction of evil, and no test of benevolence. This may be granted; but in all the species of beings which come within

within the observation of our senses, the supposition of their not being furnished with objects suited to their well being is evidently not true, and therefore ought, from analogy, to be rejected with reference to such as by their magnitude, their minuteness, or their dulness of perception escape our examination.

“That animals should feed one upon another, is a law of nature full of wisdom and goodness, life and happiness being indefinitely multiplied thereby. For a given quantity of what are called vegetables, annually produced upon a globe of a given diameter, being sufficient but for the support of a given number of herbaceous animals, whose place in the universe not admitting their immortality, it hath been wisely contrived that their bodies, which from their structure must perish, should in ceasing to live, become the instruments of supporting life in beings, which could not by any other means have had an existence, at least upon this globe; and of the other parts of the universe we know nothing except from analogy, and from that we must conclude that the *τὸ πᾶν*, be it finite or infinite, is as full of life as this particular part with which we are connected. Nay, animated matter, containing as it were the concentrated virtue of many vegetables, serves for the support of life, and the consequent communication of happiness in a far more ample manner than vegetables themselves; animal substances in equal weights furnishing more nutriment than vegetable. It is by death a seeming imperfection in his workmanship, that the Deity preserves vegetable life, supports the animal kingdom, daily regulates and renews the œconomy of nature, and continues this wonderful system

of things in full youth and vigour, not interrupted by disease, nor enfeebled by old age.

“No objection therefore to the animality of vegetables can be brought from any considerations respecting their daily destruction; for the destruction of animals by other animals, the *bellum omnium in omnia*, is an universal law of nature, derived from the same benevolence to which we attribute creation itself. If then every part of the vegetable kingdom hath a degree of perceptivity, however small, there will be a gain of happiness to the whole system; the aggregate may be of a value not to be overlooked by him, to whom the existence of all things is equally possible, and from whom all created excellences are equally distant in perfection.

“Wherever there is a vascular system, containing a moving nutritive *succus*, there is life; and wherever there is life there may be, for aught we can prove to the contrary, a more or less acute perception, a greater or less capacity for the reception of happiness: the quantity, indeed, of which after we have descended below a certain degree of sensibility, will (according to our method of estimating things, which is ever partial and relative to ourselves) be small in each individual; yet is the existence of it in the nature of things possible, from the analogy of nature probable: and who can tell whether in a system of nature, confessedly contrived for the production of the greatest possible good, it may not also be necessary?

“It should be well weighed by the metaphysicians, whether they can exclude vegetables from the possession of the faculty of perception, by any other than comparative

cive arguments; and whether the same kind of comparative reasoning will not equally exclude from animality those animals which are provided with the fewest and the obtusest senses, when compared with such as are furnished with the most and the acuteest. The perception of a man (though it may be doubted whether there are not several animals which have all the senses more acute) seems to be indefinitely greater when compared with that of corallines, sea-pens, and oysters, than the perception of these, which are allowed to be animals, doth when compared with the signs of perception manifested by a variety of what are called vegetables. Sponges open and shut their *mammilla*, corals and sea-pens protrude or draw back their suckers, shell-fish open or keep close their shells in search of food or avoidance of injury; it is from these and similar muscular motions that we judge the beings to which they belong to have perception, that is, to be animals. Now in the vegetable kingdom, we may observe the muscular motions of many plants to be, to the full, as definite and distinguishable as those of the class of animals just mentioned. The plants called *heliotropæ* turn daily round with the sun; by constantly presenting their surfaces to that luminary, they seem as desirous of absorbing a nutriment from its rays, as a bed of muscles doth from the water, by opening their shells upon the afflux of the tide. The *Flores Solares* are as uniform in their opening and shutting as animals are in their times of feeding and digesting; some in these motions do not observe the seasons of the year, but expand and shut up their flowers at the same hour in all seasons; others, like a variety of insects

which appear, or not, according to the heat of the weather or climate, open later in the day, or do not open at all, when they are removed from a southern to a more northern latitude. Trefoil, wood-forrel, mountain ebony, wild fenna, the African marigold, &c. are so regular in folding up their leaves before rainy weather, that they seem to have a kind of instinct or foresight similar to that of ants; which however deserts many of them as soon as they have propagated their kind, by shedding their pollen. Young trees, in a thick forest, are found to incline themselves towards that part through which the light penetrates, as plants are observed to do in a darkened chamber towards a stream of light let in through an orifice, and as the ears of corn do towards the south. The roots of plants are known to turn away with a kind of abhorrence from whatever they meet with which is hurtful to them, and to desert their ordinary direction, and to tend with a kind of natural and irresistible impulse toward collections of water placed within their reach: many plants experience convulsions of their stamina upon being slightly touched. Whatever can produce any effect upon an animal organ, as the impact of external bodies, heat and cold, the vapour of burning sulphur, of volatile alkali, want of air, &c. are found to act also upon the plants called sensitive. But not to insist upon any more instances, the muscular motions of the *Dionea Muscipula*, lately brought into Europe from America, seem far superior in quickness to those of a variety of animals. Now to refer the muscular motions of shell fish, and zoophytes, to an internal principle of volition, to make them indicative of the perceptivity of the being;

being; and to attribute the more notable ones of vegetables, to certain mechanical dilatations, and contractions of parts occasioned by external impulse, is to err against that rule of philosophy which assigns the same causes for effects of the same kind. The motions in both cases are equally accommodated to the preservation of the being to which they belong, are equally distinct and uniform, and should be equally derived from mechanism, or equally admitted as criterions of perception.

"I am sensible that these and other similar motions of vegetables may by some be considered as analogous to the automatic or involuntary motions of animals; but as it is not yet determined amongst the physiologists, whether the motion of the heart, the peristaltic motion of the bowels, the contractions observable upon external impulse in the muscles of animals deprived of their heads and hearts, be attributable to an irritability unaccompanied with perceptivity, or to an uneasy sensation, there seems to be no reason for entering into so obscure a disquisition; especially since irritability, if admitted as the cause of the motions of vegetables, must, *a fortiori*, be admitted as the cause of the less exquisite and discernible motions of beings universally referred to the animal kingdom.

"Physical observations concerning the generation, nutrition, organization, life, health, sickness, and death of plants, help us as little towards the establishing a discriminative characteristic between them and animals, as metaphysical speculations relative to the quantity of happiness, or degrees of perceptivity.

"The eastern practice of fecundating the female palm tree by shaking

over it the dust of the male, which Herodotus mentions in his account of the country about Babylon, and of which Dr. Hasselquist in the year 1750 was an eye-witness, was not unknown to Aristotle and Pliny: but the ancients seem not to have carried the sexual system beyond that single instance, which was of so remarkable a kind, that it was hardly possible for them to overlook it; at present there are few botanists in Europe who do not admit its universality. It seems generally agreed, that a communication of sexes, in order to produce their like, belongs to vegetables as well as to animals. The disputes subsisting among the anatomists, concerning the manner in which conception is accomplished, whether every animal be reproduced *ab ovo femelle*, or a *vermicula in semine maris*, are exactly similar to those amongst botanists concerning the manner in which the *farina fecundans* contributes to the rendering the seed prolific: but however these doubts may be determined, they affect not the present inquiry, since it is allowed on all hands, that as the eggs of oviparous animals, though they arrive at their full magnitude, are incapable of being vivified by incubation, unless the female hath had commerce with the male: so the dates of female palm trees, and the fruits of other plants, though they ripen, and arrive at maturity, will not grow unless they have been fecundated by the pollen of the male.

"In like manner, notwithstanding the diversity of opinion which hath long subsisted, and in a matter so little capable of being enlightened by experiment, probably ever will subsist, concerning the *modus agendi* by which nature elaborates the nutritive fluid, administers

nisters it to the fœtus in the womb, and produces an extension of parts; yet since a *placenta* and an umbilical chord are by all thought essential to the effecting these ends; and since the cotyledons of plants, which include the *corculum* or first principle of the future plant, with which they communicate by means of tubes branched out into infinite ramifications, are wholly analogous to the placenta and umbilical chord of animals, we have great reason to suppose that the embryo plant and the embryo animal are nourished and dilated in their dimensions after the same way. This analogy might be extended and confirmed by observing that the lobes, within which the fœcundated germ is placed, are by putrefaction converted into a milky fluid, well adapted as an aliment to the tender state of the plant.

“ Expiration and inspiration, a kind of larynx and lungs, perspiration, imbibition, arteries, veins, lacteals, an organized body, and probably a circulating fluid appertain to vegetables as well as to animals. Life belongs alike to both kingdoms, and seems to depend upon the same principle in both: stop the motion of the fluids in an animal limb by a strong ligature, the limb mortifies beyond the ligature, and drops off; a branch of a tree under like circumstances, grows dry, and rots away. Health and sickness are only other terms for tendencies to prolong or to abridge the period of life, and therefore must belong to both vegetables and animals, as being both possessed of life. An east wind, in our climate, by its lack of moisture, is prejudicial to both; both are subject to be frost-bitten, and to consequent mortifications; both languish in excessive heats; both experience ex-

travassations of juices from repletion, and pinings from inanition; but can suffer amputation of limbs without being deprived of life, and in a similar manner both form a *callus*; both are liable to contracting diseases by infection; both are strengthened by air and motion: Alpine plants, and such as are exposed to frequent agitation from winds, being far firmer and longer lived than those which grow in shady groves, or hot houses; both are incapable of assimilating to their proper substance all kinds of food; for fruits are found to taste of the soil, just as the urine, and milk, and flesh, and bones of animals, often give indications of the particular *pabulum* with which they have been fed: both die of old age, from excess of hunger or thirst, from external injuries, from intemperature of weather, or poisoned food.

“ Seeds of various kinds retain their vegetative powers for many years: the vivification of the *ova*, from which the insects occasioning the smut in corn, and the *infusoria animalcula* observable in water after the maceration in plants, probably proceed, may be esteemed a similar phenomenon. It is not yet clearly decided amongst naturalists, whether the seeds of mushrooms, of mucors, and of the whole class of *fungi*, be not in a tepid, humid *matrix*, changed into vermicular animals, which lose in a little time their power of spontaneous motion, coalesce together, and grow up into these very singular plants: the quickness of their increase, and the irresistible force with which the mouldiness propagates itself, and destroys the texture of the bodies upon which it fixes, seem to point towards an animal nature.

“ Different vegetables require different soils, as different animals

do different food for their support and well being : aquatics pine away in dry sandy grounds, and plants which love rocks and barren situations, where they imbibe their chief nutriment from the air, become diseased and putrid in rich bogs and swamps.

" There are aquatic animals which become immovable and lifeless when the rivulets in which they subsisted happen to be dried up, but which recover their life and locomotive powers upon the descent of rain : in this circumstance they are analogous to the class of mosses among vegetables, which, though they appear to be dried up, and ready to crumble into dust during the heats of summer, yet recover their verdure and vegetable life in winter, or upon being put into a humid soil.

" Trembley, Bonnet, and Spallanzani have vastly amplified our views of nature ; they have discovered to us divers species of animals, which may be cut into a variety of pieces without losing their animal life, each piece growing up into a perfect animal of the same kind : the multiplication of vegetables by the planting of branches, suckers, or joints of roots is a similar effect. The re-production of the legs of craw-fish, lobsters, crabs, of the horns and heads of snails, legs of lizards, of the bony legs and tails of salamanders, when by accident or design they have been deprived of them ; and the great difference in the time of the reproduction, according to the season of the year in which the limb is lost, are wonders in the animal kingdom, but wholly analogous to the repululation of trees after lopping.

" All plants, except those of the classes *monœcia* and *diœcia*, are hermaphrodites ; that is, they have

the male and female organs of generation within the same empalement. Shell-fish, and such other animals as resemble vegetables in not being able to move far in search of mates, with which they might propagate their kind, are hermaphrodites also : Reaumur hath proved that vine, fretters do not want an union of sexes for the multiplication of their kind.

" From the conjunction of animals of different species are produced *hybrides*, which in many cases cannot propagate : botanists have tried the experiment, and by fecundating female flowers with the male dust of another species, have produced hybridous plants, of an intermediate shape, the seeds of which are barren and effete.

" Trees shed their leaves as birds do their feathers, and hirsute animals their hair. At particular seasons the juices of vegetables move with fulness and vigour ; at others they are less plentiful, and seem to stagnate ; and in this they resemble dormice, bats, frogs, and numberless other animals of cold blood, which lie torpid and destitute of every sign of life during the winter time ; the action of the lungs and of the heart being, if any, imperceptibly weak and languid.

" Few, if any animals can exist without a reciprocal succession of sleep and vigilance, and the younger the animal, the greater is its propensity to sleep : the same alternative seems necessary for the health of several vegetables ; a great variety of plants fold up their leaves, and seemingly compose themselves to rest, in the night time, and this disposition for sleep is more remarkable in young plants than in old ones ; nor does it, as might be suspected, depend upon the influence of light or heat, since plants in hot houses, where

where the heat is kept at the same degree, fold up their leaves at a stated time in the evening, and expand them in the morning, whether the light be let in upon them or not. It may deserve to be inquired, whether by a relaxation of fibres these plants become subject to a more copious perspiration during sleep than in their state of vigilance, as Sanctorius hath proved to be the case in animals.

“ There is a great diversity, but a regular succession in the times, in which animals of different species feel the *æstrum*, by which they are stimulated to the propagation of their respective kinds; an order equally determined, is observable in the times of accomplishing the *spontalia* of plants. The periods of incubation in oviparous, and of gestation in viviparous animals are not more various in different species, nor probably more definite in the same, than the periods requisite for the germination and maturation of different seeds. By the influence of heat and cold, abundance and scarcity of nourishment, the seasons of propagating may be somewhat accelerated or retarded in animals as well as in vegetables: the effects of a cold ungenial spring are as remarkable in the retardation of the procreative intercourses of birds and beasts, as in the stoppage of the leafing of trees, or the flowering of shrubs. In a word, there are so many circumstances in which the anatomy and physiology of some plants agree with those of some animals, that few, I believe, can be mentioned in which they disagree.

“ When it is considered that animals are either mediately or immediately wholly nourished from vegetables, it might be expected, *a priori*, that the products obtainable by a chemical analysis from the two

kingdoms should be different rather in quantity than quality, and that we could not from thence discover any criteria by which they might be distinguished from one another: this observation is confirmed by experiment. Animals, it is true, in general yield a greater proportion of a volatile alkaline, than of an acid salt by distillation; vegetables on the contrary abound in acid, and yield not any volatile alkali, unless with the last degree of heat, or when they have undergone putrefaction: in saying this, I am aware that I differ from the opinion commonly received. Mustard seed, water-cresses, horse radish, and other plants of the *tetradynamia* class are generally said to contain a volatile alkali already formed, and to yield it with the heat of boiling water; from none of these however could I ever obtain by that heat a phlegm which would give a precipitation with corrosive sublimate, the most indubitable test of a fluid's containing even the minutest portion of volatile alkali; the pungent smell seems to have been mistaken here, as sir John Pringle hath well observed the *ætor* to have been in the putrefaction of many animal substances, as proceeding from a volatile alkali; and which may, perhaps, be with greater truth attributed to a volatile oil, a small portion of which is sometimes procurable from pepperwort, by the heat of boiling water impregnated with sea-salt. However, as some animals, and some parts of most animals yield a portion of acid, and as most vegetables, by a strong fire in close vessels, or when converted into soot, afford a volatile alkali, altogether similar to that obtained from animal substances, we cannot from these circumstances establish any distinctive mark between the two kingdoms.”

We

We have been favoured by the AUTHOR with the following original COMMUNICATIONS.

OBSERVATIONS on the SILK COTTON of SUMATRA. By Dr. PARCIVAL, of MANCHESTER. December 29, 1785.

A Few weeks ago I received, from the archbishop of York, a small quantity of the *bombax ceiba*, or silk cotton of Sumatra, with a request that I would enquire whether it might not be applied to some important uses in the manufactures of Manchester. The specimen was given to his Grace by Mr. Wm. Marsden, F. R. S. late secretary to the president and council of Fort Marlborough, and author of a valuable work, entitled the History of Sumatra. I have shewn the cotton to several of our most ingenious manufacturers, who unite in admiring its softness, fineness, beauty, and silky gloss; but are apprehensive, from the shortness and extreme tenderness of its filaments, that it is unfit for the operations of carding, spinning, or weaving. But it occurred to me that in the manufacture of hats, no operation seems to be required, which would overstrain the texture of this delicate substance; that it is adapted to the reception of a bright and permanent dye; and that its fineness and softness might render it a good substitute for beaver. A gentleman, however, conversant in this branch of trade, to whom I shewed the cotton, and communicated the foregoing conjectures, is of opinion that it has not sufficient firmness for matting together in the structure of a hat.

Notwithstanding these discouragements, I am not yet convinced

that the Sumatra cotton might not, by a mixture with other species, with silk, or with worsted, be rendered useful to our manufactures. And possibly its fibres may, when separately employed, be sufficiently strengthened for the wheel or the loom, by undergoing a due preparation. Hairs of the same length vary much in their powers of extension, when wetted with different fluids, as Dr. Bryan Robinson has proved*. And may we not infer, from analogy, that the same diversity would take place in the filaments of cotton? The fact might easily be ascertained; and I take the liberty of recommending the investigation of it to some ingenious experimenter, interested in the improvement of our manufactures. In this undertaking three objects may be held in view: 1. To increase the powers of cohesion in the fibres of cotton, without proportionably augmenting their powers either of extension or elasticity. 2. To augment the power of extension, without affecting that of elasticity. 3. To increase the power of elasticity, in conjunction with that of extension. Different substances may be found to possess qualities adapted to these several ends, each of which may be appropriate to some particular kind of manufacture.

Since the foregoing remarks were written, I have consulted Mr. Marsden's History of Sumatra, and

* See his Treatise on the Virtues and Operations of Medicines. Page 178.

shall transcribe from it, what he delivers concerning the bombax ceiba. "The silk cotton is also to be met with in every village. This is to appearance one of the most beautiful raw materials the hand of nature has presented. Its fineness, gloss, and delicate softness render it, to the sight and touch, much superior to the labour of the silk worm; but, owing to the shortness and brittleness of the staple, it is esteemed unfit for the reel and loom; and is only applied to the unworthy purposes of stuffing pillows, and mattresses. Possibly it has not undergone a fair trial in the hands of our ingenious artists; and we may yet see it converted

"into a valuable manufacture. It grows in pods, from four to six inches long, which burst open when ripe. The seeds entirely resemble black pepper; but are without taste. The tree is remarkable from the branches growing out perfectly straight and horizontal, and being always three, forming equal angles at the same height. The diminutive shoots, likewise, grow flat; and the several gradations of branches observed the same regularity to the top. Some travellers have called it the umbrella tree; but the piece of furniture called a dumb waiter, exhibits a more striking picture of it." (History of Sumatra, page 126.)

On the ACID of TAR.

[By the Same.]

TAR, boiled to dryness, without addition, yields an acid liquor, in considerable quantity, which the workmen injudiciously throw away; though an able chemist informs us, he has known a person in France save by it many thousand dollars *. I have lately procured several gallons of it, from a large pitch manufactory at Hull. It exceeds greatly in pungency other vegetable acids; and I am persuaded that it might be employed to advantage, both in pharmacy and the arts, as a cheap and active menstruum. Such are its corrosive powers, that I am informed, it soon proves destructive to the large metallic vessels, in which it is distilled. If these be of copper, they bear about a year's working; if made of tin, they are presently eaten into holes, like a honey-comb. It is not easy to form an exact estimate of the comparative strength of different acids; but from several experiments which I made, it appeared to me probable, that the acid of tar is to the sp. vitriol. fort. in this respect, as one to fourteen. For five drops of the former, and seventy drops of the latter gave the like degree of pungency to equal portions of water; and seemed to be saturated with equal quantities of fixed alkali. A thin piece of lead, weighing twenty-three grains, was suspended by a string, several weeks, in two ounces of the acid of tar. The menstruum gradually

* See Newman's Chemistry by Lewis, page 138.

lost its natural hue, and assumed a light yellow. At first the colouring matter swam on the surface; but afterwards the whole fluid became uniformly transparent. Its acidity was diminished, and a slight degree of sweetness was perceptible in it. The piece of lead, when taken out, weighed only seventeen grains and a half; and the surface of it was covered with a black pigment which stained the fingers.

Another piece of lead, exactly similar in form and weight, was immersed, during the same period of time, in two ounces of white-wine vinegar, with the loss only of half a grain.

From the result of these experiments I think we may conclude, that the acid of tar would be preferable to vinegar, both in the preparation of saccharum saturni, and acet. lithargyrites; perhaps if it could be freed, by farther distillation, from the pitchy matter which it contains, the manufacture of cerufs or white lead might be greatly benefited by it. For the pigment, communicated to the piece of lead, suspended in the acid of tar, probably arose from the superabundant phlogiston of the menstruum. A similar phenomenon occurs in the operation for making lunar caustic. The crystals of silver, when fused, assume a black colour, which Mr. Macquer ascribes to the inflammable principle of the nitrous acid, that attaches itself superficially to the silver. Perhaps the acid of tar might be employed, in a puri-

fied state, for making verdigrise. I attempted to ascertain this point; but an accident put an end to my experiment, before it was completed.

As I have given specimens of this acid to several of my chemical friends, I flatter myself that some valuable discoveries will be made of its application to pharmacy, and to the arts.

May 14, 1783.

Since this paper was written, I have been favoured with a letter from Mr. Charles Taylor, an eminent callico printer, and a competent judge of the subject, who expresses himself in the following terms: "The acid of tar, I am confident, might be rendered of great consequence in various manufactures, particularly in the callico-printing business, in which a very great consumption is made of solutions of iron in the vegetable acid, as well as of solutions of lead in the same acid. I think the solution of lead in the acid of tar, though the liquor may not be perfectly clear, would be an excellent substitute for the saccharum saturni, used in that branch of business; more particularly as the expence of the crystallization would be avoided."

The acid liquor which is procured from pit coal, when distilled for tar, is at present thrown away, as I have been informed by a person who is much engaged in this business." See bishop Watson's Chemical Essays, vol. II. page 333.

HISTORY of the VIRGINIAN MOUNTAINS.

[From JEFFERSON'S Notes on the State of Virginia.]

"IT is worthy notice, that our mountains are not solitary and scattered confusedly over the face of the country; but that they commence at about 150 miles from the sea-coast, are disposed in ridges one behind another, running nearly parallel with the sea-coast, though rather approaching it as they advance north-eastwardly. To the south-west, as the tract of country between the sea-coast and the Mississippi becomes narrower, the mountains converge into a single ridge, which, as it approaches the Gulph of Mexico, subsides into plain country, and gives rise to some of the waters of that gulph, and particularly to a river called the Apalachicola, probably from the Apalachies, an Indian nation formerly residing on it. Hence the mountains giving rise to that river, and seen from its various parts, were called the Apalachian mountains, being in fact the end or termination only of the great ridges passing through the continent. European geographers however extended the name northwardly as far as the mountains extended; some giving it, after their separation into different ridges, to the Blue ridge, others the North mountain, others to the Alleghaney, others to the Laurel ridge, as may be seen in their different maps. But the fact I believe is, that none of these ridges were ever known by that name to the inhabitants, either native or emigrant, but as they saw them so called in European maps. In the same direction generally are the veins of lime-stone, coal and other minerals hitherto discovered;

and so range the falls of our great rivers. But the courses of the great rivers are at rightangles with these. James and Patowmac penetrate through all the ridges of mountains eastward of the Alleghaney; that is broken by no watercourse. It is in fact the spine of the country between the Atlantic on one side, and the Mississippi and St. Laurence on the other. The passage of the Patowmac through the Blue ridge is perhaps one of the most stupendous scenes in nature. You stand on a very high point of land. On your right comes up the Shenandoah, having ranged along the foot of the mountain an hundred miles to seek a vent. On your left approaches the Patowmac, in quest of a passage also. In the moment of their junction they rush together against the mountain, rend it asunder, and pass off to the sea. The first glance of this scene hurries our senses into the opinion, that this earth has been created in time, that the mountains were formed first, that the rivers began to flow afterwards, that in this place particularly they have been dammed up by the blue ridge of mountains, and have formed an ocean which filled the whole valley; that continuing to rise they have at length broken over at this spot, and have torn the mountain down from its summit to its base. The piles of rock on each hand, but particularly on the Shenandoah, the evident marks of their disfigurement and avulsion from their beds by the most powerful agents of nature, corroborate the impression. But the distant finishing which na-

K 2 true

ture has given to the picture is of a very different character. It is a true contrast to the fore-ground. It is as placid and delightful, as that is wild and tremendous. For the mountain being cloven asunder, she presents to your eye, through the cleft, a small catch of smooth blue horizon, at an infinite distance in the plain country, inviting you, as it were, from the riot and tumult roaring around, to pass through the breach, and participate of the calm below. Here the eye ultimately composes itself; and that way too the road happens actually to lead. You cross the Patowmac above the junction, pass along its side through the base of the mountain for three miles, its terrible precipices hanging in fragments over you, and within about twenty miles reach Frederic town and the fine country round that. This scene is worth a voyage across the Atlantic. Yet here, as in the neighbourhood of the natural bridge, are people who have passed their lives within half a dozen miles, and have never been to survey these monuments of a war between rivers and mountains, which must have shaken the earth itself to its centre. The height of our mountains has

not yet been estimated with any degree of exactness. The Alleghany being the great ridge which divides the waters of the Atlantic from those of the Mississippi, its summit is doubtless more elevated above the ocean than that of any other mountain. But its relative height, compared with the base on which it stands, is not so great as that of some others, the country rising behind the successive ridges like the steps of stairs. The mountains of the Blue ridge, and of these the Peaks of Otter, are thought to be of a greater height, measured from their base, than any others in our country, and perhaps in North America. From data, which may found a tolerable conjecture, we suppose the highest peak to be about 4000 feet perpendicular, which is not a fifth part of the height of the mountains of South America, nor one third of the height which would be necessary in our latitude to preserve ice in the open air unmelted through the year. The ridge of mountains next beyond the Blue ridge, called by us the North mountain, is of the greatest extent; for which reason they were named by the Indians the Endless mountains.¹⁰

ANTIQUITIES.

Of the SETTLEMENT of the PHOCEANS at MARSEILLES.

[From Governor POWNALL's Notices and Descriptions of Antiquities of the Provincia Romana of Gaul.]

"**M**ASSILIA, properly so called, was a settlement made by a body of Phoceans migrating from the Ionian coast, from a civilized and polished people. This country, where they settled, abounded with grain, herbs, and fruits, productive of food, health and even luxuriant enjoyment, proportioned to the state of civilization in which the natives lived. These colonists brought with them the mellorated grain and fruits which cultured lands, of a fruitful soil and genial clime, had brought forward, wheat, the vine, the olive, the fig; I might add to these, the quince, the plum, the pear, the apple, the apricot, the peach, the pistachio, the almond, the cherry, the grenadine, the laurel. Many other fruits, as the orange and citron, as well as flowers, all exotics, brought at various periods, might be here noted, were I writing the natural history of the country. I mark only those which stand on record, and are found on the monuments of the first and early Greek inhabitants. They brought with them the commerce of the East, and combined it with that of Gaul. They settled posts and factories in the several ports of the Mediterranean sea from the maritime Alps to the Pyrene. With their shipping they held a naval

command throughout the Mare Massiliense, afterwards called *inus Leonis*, from the ensign of their flag, which dominated there: which ensign, as may be seen in the series of their coins, was the lion. In process of time, various colonies proceeded from them, as those of Antibes, Hieres, Toulon, Emporia, and the Ephefion of the Pyrenees.

"They were great navigators, and made by long voyages many investigations of distant countries. The voyages of Pythæus and Eumenes are astonishing examples of this. They were fitted out at the public expence, and passing the Straights, the *ne plus ultra* of the ancients, pursued their rout and discoveries; the one to the north, as far as Thulé; the other along the African coasts south, as far as the river Senegal. These were voyages, in those days, and in the imperfect state of their navigation, equal in enterprise at least to the voyages of Cook.

"The academy at Marseilles, deriving a worthy pride from this spirit of enterprise in their ancestors, animated with a liberality and nobleness of sentiment, which nothing but an inward consciousness of kindred merit could give, have this year, in a manner that does them great honour, proposed as a

subject for a prize, the euloge of the British navigator Cook.

"The Phœceans brought with them the religion and constitution of government observed in their mother country. They brought not the depraved and luxurious, but the corrected and severe manners of a people forced to emigrate from home by misfortunes and distress. Domestic œconomy was a habit which they guarded by sumptuary laws. They retained this to their latest times, as is mentioned by Tacitus. They brought with them not only the religious worship, but a consecrated image and priestess of Diana of Ephesus, and built the Ephesian, as they did also a temple to Delphic Apollo, in their *Acropolis*. Their church was a member of the metropolitan church at Ephesus; and their chief priestess a suffragan of the pontiff of Ephesus, and one of these actually succeeded to that sacred dignity. They brought with them an opinion common to their ancestors; that such was the perfect purity and infinite justice of the Deity (their gods) that divine justice must be destroyed, if the death and blood of the sinner did not expiate and make atonement for it; that however, their priests could so compromise the matter, that some one man, for the whole might become a representative sinner, making, by his sacrifice, atonement and expiation for the whole people; and on this principle they used human sacrifices, choosing some wretch, on whose head they heaped every execration, and whom, as a scape-man, they sacrificed, in events of public calamity; this fallacious principle, and this horrid practice excepted, their system of police was

of a spirit of wisdom and prudence.

"Their government was aristocratic; being governed by a council of six hundred as chief magistrates. They were rigid maintainers of severity in manners, and strict discipline in public conduct. On the one hand, they permitted no scenical rhimes on their stage, which tend only to inflame the inflammable passions, and to corrupt the morals by the exhibition of bad examples: on the other hand, they suffered not to enter their gates, any fanatic or hypocritical religionist, impostors, who use their mysteries to the deriving of a maintenance in idleness, feeding on the follies of the people.

"The sword of justice, which, as was supposed, they brought with them at their first settlement, hung, though eaten through with rust, and unequal to its office, in their public hall, as a symbol that strict and severe execution of justice was, as the original, so the continued spirit of their judicature.

"They used the service of slaves, and had a peculiar, and, as it seems to me, unless it was regulated in some way which I do not understand, an arbitrary law respecting their manumission. If the slave manumitted, and become a liberatus, could be charged with ingratitude to his patron; this patron, his former master, could rescind the manumission, and supersede the liberty, and this even the third time after a third manumission; but if, after this, the matter again, a fourth time, manumitted his slave, he could not claim benefit of this law. The law imputed the error to the fault of the folly of the master, not to the slave.

"They

“ They considered death not so much an evil as an event of ordinary occurrence in the human state of being; not as a matter of grief, or to be lamented in public form or ostentatious mourning; as an event of course for which men should always be prepared and provided: they had, therefore, at their gates, standing always ready, two biers; one, in which the corpse of the citizen, another, in which the corpse of the slave, were put, to be carried in a waggon to the place of sepulture. No other ceremony of external forms of mourning was allowed than a domestic sacrifice, and the attendant sacrificial supper; at which the immediate relations and friends of the deceased assisted.

“ This peculiar manner of treating the event of death led to a curious and singular custom, which was this. There was kept, under the public care, a poison of the infusion of *cicuta*, which was administered to any citizen who could exhibit sufficient cause to the senate, as the reason why he wished to put an end to his life; a custom in which, saith Valerius Maximus, benevolence was mixed with a proper regard to manly fortitude, that, on one hand, did not permit rashness, and an impatient intemperance, to presume to judge and act of itself under circumstances in which it was incompetent to judge and act; but, on the other hand, avowedly gave the public authority, and afforded a quick access of sale to those who acted on wisely-grounded reasons.

“ There was, as appears to my mind, more solid wisdom in this custom than at first strikes the eye. The public magistrate, by thus becoming the confessor, adviser, and friend of the miserable, pitying the

miseries, and feeling for the infirmities, of human nature, was enabled to give advice, consolation, and relief, which would supersede all those impatient wishings for death, and reconcile the citizen again to life; but, in cases where consolation and relief, of which the prudence of the public magistrate, and not the feverish mind of the individual, was to judge, were desperate, and not possible; in cases where a man's misfortunes had rendered him a burthen to himself, and useless to the public, they permitted the act of suicide, as a public act, to be done under the public eye. There is no account in history, or by any anecdotes, of the effect of this custom. But one might venture to say, that amongst a people of such temper and spirit, where regulations about suicide were become necessary, this was the most effectual guard against it; and there would be very few instances of self-murder, where the poor wretch was thus permitted to reason and advise with the public magistrate about it.

“ The settlers and founders of this city, coming from a policed people, far advanced in science and in the arts, were cognisant in the one, and cultivated the other. They founded an academy, which, in the later time of the Romans, was a rival to that at Athens; so that the very first people of Rome, instead of sending their children on their travels to Athens, sent them to Massilia. Facts, as well as concurrent circumstances, mark the existence of the arts there. Pausanias mentions a brazen statue of Minerva at Delphos, sent as a present by the Massilians. Strabo mentions a like statue sent from hence, and erected in the Mons Aventinus; and even amongst the few

remains of those ruins and antiquities, there are fine exemplars of the cultured arts. I might here, by transcripts from Strabo, Cicero, and others, give a detailed account of their commerce, and of the routs by which it was conducted; how the commerce of the Northern Ocean was combined with that of the Mediterranean Sea, by means of the navigation of the rivers which run into the one and into the other, and by means of the carrying places where the heads of those rivers interlock in the upper and interior parts of the country. I have shewn above, that this part of Gaul was a granary to the Romans. There is every reason to suppose, that Arles was not only an entrepôt and barcadore to this city, but a depot for naval stores, with docks and slips for ship-building. If there had not been such at Arles in the time when Cæsar besieged Marseilles, he could not have built there twelve ships of war in thirty days from the first cutting down of the timber; a fleet equal to meet, and even beat, the combined fleet of Pompey and Marseilles. All this, combined with

the Levant trade, rendered this an opulent city. In such a city as this, there must have been, and in fact there were, many public edifices; such as temples, prætorias, baths, also an academy; every species of household furniture and domestic vessels, such as the arts, encouraged by the rich, supply to the luxury or elegance of living. There must have been many statues of their gods; all the sacred utensils of their ritual. There must have been many monuments erected to the honour of meritorious citizens, as also multitudes of sepulchral monuments consecrated to the manes of the dead; exemplars of most of these latter both in Greek and Latin still exist; yet such hath been the fate of this ancient Greek, and afterwards Roman city, that I may venture to say, there is not in the known world a place, once so replete with edifices, monuments, and every article of ancient splendor and magnificence, so abounding in commercial affluence, where there are, at the present day, so few remains or exemplars of antiquity of any great merit or importance."

OBSERVATIONS RELATIVE to the HISTORY of SERAPIS.

[From the same Work.]

"WHEN Ptolemy had completed the city of Alexandria, had girt and fortified it with walls, and found that it became the residence of people of all nations, languages, and religions; he wished to erect some comprehending symbolic idol, which might become a general object of worship to all people residing there. He pre-

tended, like a wise prince, that he had received the divine command to do this. He was conversant in all the physiologic mythology of Asia, and acquainted with the nature of the mixed symbolic idols. Any local one, whose nomen and worship was known, and was already established as local, would not do. He was to look for some idol

idol of a god, such a symbolic mixed one as might be comprehensively catholic, which was not known, but which was willing to be established at Alexandria. He therefore pretended that a god, such as he described, clothed in flame, had visited him in a dream, and ordered him to establish his idol at Alexandria. Whatsoever it was that he described, he, upon founding the Egyptian priests on the matter, could not induce them to understand what God he meant, nor where such God dwelt. He wisely dropped the business for the present; but some time after pretended a second dream, wherein the god appeared to him in a terrific form. As the god had in the former vision promised all prosperity to his kingdom if he established his idol at Alexandria, he now threatened destruction to it if he did not set it up and establish its worship there. The king affected to learn from an Athenian that which the Egyptians pretended to be ignorant of, the place where this god dwelt, namely, at Sinope, in Pontus. In obedience, therefore, to the divine command, he sent a ship and ambassadors to fetch the idol of this god; but, to engage and add a corroborating authority to this embassy, he ordered the ambassadors to consult the Pythian Apollo on the subject. This god added his sanction, in confirmation of the command of the vision. They proceeded to Sinope; but the king of the Sinopians would not listen to the request of the ambassadors. However, at length, won by the irresistible bribes and presents of the Alexandrians, he agreed to sell his god. The people, however, would by no means agree to it, and became fanatically frantic, in opposition to the parting with their god,

so that the king was not capable to fulfil his engagement. During these embroils, the god, not regarding the zeal and religious love which the people bore to him, so as to be ready to sacrifice themselves to him, stole off, and in a miraculous manner not only conveyed himself on board the ship, but by like a miraculous interpolation accelerated the ship's way so as to make its passage from Sinope to Alexandria in three days. This idol, thus imported, was set up in all the pomp and circumstance of idolatry, and was, I believe, the first miraculous idol set up as a comprehensive object of general worship. The religious policy of Ptolemy had its effect; for all people, of all nations and religions, residing at or coming to Alexandria, joined in the common worship of this catholic object. The Egyptian priests, who could not, whilst Ptolemy described it as a speculation, understand what god he could mean, very prudently and wisely, as soon as it was set up, and its worship established at Alexandria; found out that it was an ancient Egyptian numen worshipped at Memphis of old time.

“To understand what this idol was, and what the numen which it was the symbol of, we will first examine what Tacitus, who gives the history of its establishment, says of it, when the ambassadors consulted the Apollo Pythius. His answer was, that they might go and fetch the idol of his father, but that they must leave his sister. In another part of this narrative Tacitus says, that the Athenian high priest of the Eleusinian mysteries, whom Ptolemy consulted, told him, there was at Sinope in Pontus, a temple of Jaodis; and that a female idol sat beside the god

of the temple, whom they, the Greeks, supposed to be Proserpine. These two are the father and sister of Apollo, to whom the Pythian oracle refers.

"In Macrobius we read a description and physiologic explanation of a like group of idols in Hierapolis, a country holding and observing the same ritual as the Phrygians and Paphlagonians. "The Hierapolitani, of the Assyrian race, reduce all the powers and effects of the sun to one symbolic idol, and call it Apollo. The face of this image is formed with a long pointed beard; has a calathus, or recolt basket, on the top of its head. The busto of the image is armed with a thorax. It hath, in its right hand, a shaft of a spear, on the top of which is placed the common figure of victory; its left holds forth a bouquet of flowers. A Gorgonian mantle, reaching from the shoulders downwards, and tied with serpents, forms its scapula; the figure of an eagle, in the act of flying, accompanies it. Before this statue sits a female idol, in whose hands, the right and left, are two female figures. A dragon serpent is wound round her with its sinuous folds." It would be tiresome to read, and more tiresome to transcribe, the childish explanations which Macrobius gives of this. It is enough to the purpose for which I cite this description to remark, that in general this group corresponds with that described by Timotheus in Tacitus; and to observe, by the bye, that this group represented the sun and moon; or rather, as the Pythian oracle explains it, the father of the sun and the moon. The male statue appears, by the calathus on his head directly, as well as by the other symbolic accompaniments, to be

Serapis, or what was afterwards so called in Egypt. The female one nearly the figure of Artemis or Isis, as we have seen above; the male idol migrated (not indeed carrying his temple with him) to Alexandria.

"When the Egyptians saw the god, they said it was Iao-Dis, whom the Greeks call Pluto, to whom was inmate the seraph serpent, whom the Greeks expressed by the word Serapis. Before I proceed to describe the statue of Serapis at Alexandria, or this frustum of an idol at Arles, I beg it may be observed, that the idol brought from Pontus was the father of Apollo; and was called by some Pluto, to whom was conjoined Serapis.

"Various are the idols of this symbolic numen. Some, a beautiful young person with four wings, surrounded by the convolutions of a serpent; others, bear the character of the terrific figure which formed the vision in the second dream of Ptolemy. Macrobius gives another description of Serapis, and says, "that the idol was symbolic of the sun, appears in that they placed the calathus on its head, and that they grouped with this image a beast with three heads, round which a dragon serpent twined, ending in convolutions at the right-hand of the human person who fed it." There are various forms of this symbolic idol given both in statues and in book descriptions; but all coinciding in the characteristic parts; that of a human figure, to whom is conjoined a dragon serpent, twining either round his immediate person, or round a holy staff, or round some strange beast (as in Macrobius), which serpent is supported and sustained by that human

STATE OF THE ANGLO-SAXON SOVEREIGN. [155]

man person. This characteristic feature of the symbol is uniformly universal in all the mixed idols of Babylon, Persia, Syria, Pontus, and Egypt.

"We have seen above, that a serpent was the emblem of the sun. It has appeared, that Mithras, representing the sun, was not the supreme God: this was Mithres. In the Persian mixed idol the serpent represented Mithras; the human figure Mithres. This Alexandrian statue is sometimes called Pluto and Dis, and at other times Serapis. Now this is explained above by Porphyrius, who says they conjoined Serapis to Pluto. This Pluto is Jao-Dis, and the father of Apollo, according to the Pythian oracle itself. This idol therefore, as the Persian idol did, represents, in a mixed symbol, the first intelligent cause, the father, supported

and sustained by whom the seraph serpent, symbol of the sun, called by the Greeks Serapis, winds his course through the heavens, which the Gorgonian, or flame-coloured veil of the human figure, represents. To this symbolic idol, therefore, the vulgar idolaters, the worshippers of the sun, and those who carried their views of worship to a first intelligent cause, might and did equally look up. This, therefore, miraculous image, which brought itself, by its divine power, to Alexandria, and was there set up by divine command, would of natural consequence, as in fact it did, become a kind of catholic general object of worship to all nations and all religions, not even the Jews and some heretical sect of Christians excepted, if Hadrian's letter is to be believed."

Of the STATE of the SOVEREIGN in the PRIMITIVE ANGLO-SAXON GOVERNMENT.

[From an Historical View of the English Government, By JOHN MILLAR, Esq.]

"THE different parties of the Saxons, who invaded Britain, were each of them under the conduct of some adventurer, whose fortunes they had followed, either from personal attachment, or from a confidence in his abilities. After they had settled in the country, the same person continued to have the command of their forces, and became also the chief civil officer of the community. The longer he had remained in that high station, his possession of it was rendered more secure by the continuance of

the same circumstances which had originally produced his elevation. His military talents deriving lustre and importance from the distinguished point of view in which they were beheld, excited the admiration and respect of his followers; while the dangers with which they were surrounded, and a sense of their common interest, united them in fighting under his banner. By every new expedition they became more accustomed to submit to his direction; and the oftener they had found it necessary to solicit his protection

tection and assistance, under those calamities to which they were exposed, they felt more sensibly the advantages derived from his favour, as well as the inconveniences arising from his displeasure.

" In the early history of the Anglo-Saxons, the leader of every separate tribe or party, is accordingly represented as possessing a permanent office, with the title of heretoch or duke, in place of which that of king was afterwards assumed.

" The king was in possession of a landed estate, acquired in the same manner with that of every inferior leader, by whose assistance the conquest had been made. As the booty, arising from any successful enterprise, was divided among the free people or heads of families concerned in the adventure, and, as on those occasions, each individual obtained a portion, both of land and moveables, suited to his rank and abilities; it may easily be conceived that the property accumulated, in a course of time, by the sovereign, would be much greater than that of any one of his subjects. His estate was naturally distributed among his dependents, according to the same plan which was adopted by every other landed proprietor. A part of it was bestowed upon his kindred or free retainers, under the condition of military service; and the remainder was cultivated by his villains, or bondmen, for supporting the expence of his household. Over these two classes of people, he exercised the rights of a superior, and of a master. Throughout the rest of the kingdom, exclusive of his own particular estate, his authority was much more limited. Every allodial proprietor, unaccustomed to subjection, and supported by

his own retainers, was more or less in a condition to maintain his independence; and those who had acquired considerable property, beholding with jealousy the superior dignity and pretensions of the king, were commonly ready to combine against him, either in resenting or opposing, whatever they deemed an infringement of their liberties.

" The powers with which the sovereign came to be invested, either in the different states of the heptarchy, or in the subsequent monarchy which arose from the union of those kingdoms, were such as, in order to prevent confusion and promote the dispatch of public business, were tacitly devolved upon him, or as, from the nature of his situation, he had found encouragement to assume, and had, without opposition, been permitted to exercise. The dignity and office of the king, though higher in degree, were perfectly similar to those of the tythingman, the hundredree, and the earl; and he possessed nearly the same powers over the whole kingdom, which those inferior officers enjoyed in their own particular districts.

" 1. By having the command of the forces in the time of battle, the original source of his greatness, he was led to direct their movements on other occasions; to take preparatory steps for bringing them into the field; to suggest particular enterprises, to plan the measures for conducting them, to execute treaties with foreign states, and in general to superintend the defence of the kingdom, and the whole course of its military operations.

" 2. In consequence of his being at the head of the military department, the king was led also to exert his authority in suppressing internal disorders, in quelling tumults

mults and insurrections, in restraining private rapine and violence ; in seizing offenders, and preventing their escape from justice : in a word, he obtained the province of maintaining the ordinary police of the country, and the security of its inhabitants.

“ 3. As, from these two branches of power, he became the prime mover, and proposer of public measures, and as, in matters of great moment, the concurrence of the Wittenagemote was necessary ; he acquired, of course, the exclusive privilege of calling that assembly, and of presiding in all its deliberations. The influence which he thence obtained, with regard to its determinations may easily be imagined. The president of every numerous assembly, has many opportunities of moulding the business that comes before it, into such a shape as will promote his own designs ; more especially, if by the permanent enjoyment of that office, he has leisure to form a regular plan of management ; and if, by having a discretionary power of calling the particular meetings, he may regulate his motions according as the assembly happens, in different conjunctures, to be attended by different members. But while, by these favourable circumstances, the sovereign was capable of advancing his political interest, he enjoyed the additional advantage of superior opulence and dignity ; which put him in a condition to intimidate, as well as to overreach opposition. To a prince, therefore, possessed of much prudence, and of popular talents, it was not difficult, in ordinary cases, to procure the consent of the Wittenagemote to those measures which he thought proper to suggest ; and the resolutions of that assembly, while they appeared to limit and

control the power of the crown, were at bottom, very often directed by the monarch, and rendered subservient to his will.

“ 4. As the Wittenagemote enacted laws, distributed justice in the last resort, and regulated the administration of public affairs ; so the duty of enforcing the decrees and regulations of that assembly, and, in general, the executive part of the government, were naturally devolved upon the king. That great officer, who conducted the military force of the kingdom, could hardly fail to assume the province of causing the punishments decreed against offenders to be regularly inflicted, and of compelling every individual to fulfil the decisions of the law. The same person was led to procure information with respect to the commission of heinous crimes, and to direct that they should be prosecuted before the proper tribunals. In these employments, the sovereign acted as the head and representative of the community. In the same capacity, he obtained the nomination of many inferior officers in church and state ; the privilege of coining money, and of superintending weights and measures ; together with the exercise of all those powers which, from their nature, could not be conveniently devolved upon a popular assembly.

“ These prerogatives, which, from the natural course of things, and probably without any formal or express regulation, were gradually annexed to the crown, became the source of such perquisites and emoluments, as more than compensated the trouble with which they were attended. The chief executive officer, who prosecuted a crime in the name of the public, had a plausible pretence, upon the same account, for levying the fine or
forfeitures

forfeiture arising from the conviction of the criminal. Besides, in government, as well as in religion, the bulk of men are commonly so engrossed by the image or picture, as to forget the original, and to bestow upon the representative the sentiments due to the object it represents. Thus the sovereign, who appeared to direct, and put in motion, all the wheels and springs of government, who enforced the laws, who vindicated offences, and took upon himself the whole burden of providing for the public safety, was apt to be considered as exercising, in his own right, those powers with which the community had invested him. Those laws which he enforced were conceived to be more immediately calculated for his own benefit: those officers whom he appointed were looked upon as the servants of the crown; and those crimes which he prosecuted and punished, were regarded as crimes committed against him in particular, for which he was, therefore, entitled, of himself, to demand reparation.

"The public revenue of the Anglo-Saxons, therefore, by which the rank of the sovereign was maintained, and out of which the various expences of government were defrayed, consisted almost entirely of two branches: the original demesnes of the king, acquired in the same manner with the private estate of each allodial proprietor; and the various forfeitures and fines, whether of land or moveables, which, from time to time accrued, or were transmitted to him, as the head of the community. From this latter source he derived a continual accumulation of wealth. The disorder and violence, that prevailed so universally, gave occasion to the forfeiture of many rich individuals; and the king was commonly dis-

posed to neglect no opportunity of seizing and improving such favourable conjunctures. In the greater part of crimes, as it frequently happens in the infancy of government, the criminal was not punished in a manner adequate to the purposes of public justice, but was admitted to atone for his offence, by making a pecuniary composition with the sufferer. In those cases, the king exacted a composition as well as the private party; and the profits arising to the crown, from the innumerable fines and amerciaments, to which this gave occasion, were one great cause of the long continuance of that imperfect mode of punishing offences.

"In this early stage of constitution, the revenue above mentioned was sufficient for all the charges of public administration; which were then inconsiderable. There was no mercenary army to be paid by the king. The judges were either willing to determine differences among individuals, and to take cognizance of crimes, without any consideration for their trouble; or they obtained a compensation, by exacting fees from the parties who came before them. Taxes, therefore, were almost entirely unknown. Their introduction belongs to the history of a more advanced period of society.

"But even this primitive revenue of the crown appears to have laid a foundation for the Wittenagemote to interfere in the disposal of it; since the estate, acquired by the king, in the character of the chief executive officer, and as representing the community, was, in a proper sense, the estate of the public. This conclusion was not, indeed, applicable to the whole, though it undoubtedly was to a considerable part of the royal demesnes. But it was not the genius

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of that age to make nice distinctions; and the interposition of the national council, in the management of some branches of the crown revenue, might easily be extended to others that were placed in different circumstances.

"We find that, not only in England, but in the other states upon the continent of Europe, the arrangements which took place in the management of the king's household, and private estate, had necessarily great influence upon the government of the kingdom. According as the sovereign advanced in opulence and dignity, he was led to employ a greater number of servants in the several branches of his domestic economy; and the same persons, who, enjoyed the chief confidence of their master in that private capacity, became, in course of time, his ministers in conducting the business of the nation. In all the European feudal kingdoms, the management of the king's household was anciently divided into five principal departments; and fell under the inspection of so many great officers.

"1. The first of these was the steward, or master of the household, called, upon the continent, the major domo, the mayor of the palace, or seneschal; who had originally the care of the king's table. Upon him was naturally devolved the business of gathering in the rents of the crown lands: for, as those rents were all payable in kind, and were intended for immediate consumption, it was most convenient, that they should be delivered into the hands of that person by whom they were afterwards to be laid out for the support of the king's family.

"We may easily believe that, from the nature of his office, the

master of the household was in a condition to acquire much influence over all the tenants and vassals of the crown. He was the person with whom they were obliged to settle their accounts; and who, from his minute acquaintance with their circumstances, was the most capable of giving his master information concerning them. He was, therefore, the person most likely to be employed in adjusting their differences with one another; and in consequence of his being the deputy judge upon the royal demesne, he came, at a subsequent period, to be intrusted by the crown with a similar power over the whole kingdom.

"2. As the collection and management of the victuals, with which the king's table was supplied, fell under the direction of the steward; so the care of the liquor was committed to a separate officer, the cup-bearer, or butler. In all the Gothic nations, persons of wealth and distinction lived in great splendor, and were much addicted to drinking; for which reason, it is not surprising that the accommodation of the sovereign, in this respect, was exalted into a separate employment, and became an object of suitable importance.

"3. The care of the chambers was committed to a third officer, the chamberlain; whose business it was to superintend the lodging of his master's family. As this officer was entrusted with whatever required to be locked up in the house, for the future service of the household, he seems, upon this account, to have become the keeper of the wardrobe, and, at a subsequent period, when the crown rents were paid in money, the king's treasurer or superintendant of the finances.

"4. An-

" 4. Another of the king's principal servants obtained the inspection of the stable; and was denominated the *comes stabuli*, or constable. When, by the keeping of many horses, this department was rendered extensive, it appears to have been divided into two branches; the one belonging to the chief groom, or constable; and the other to the mareschal, or smith. It is difficult to mark the period when this division was completed: nor is it an easy matter to ascertain the relative degrees of importance and rank which might then be annexed to these two kindred employments.

" When the use of cavalry in war became frequent, we may easily suppose, that the persons, who had been accustomed to rear and manage the king's horses, would stand forth, as claiming superior distinction, and as having a peculiar title to be consulted. They were thus employed, under the sovereign, in conducting that important part of the troops; and, by an easy transition, acquired a jurisdiction in such controversies as were either of a military nature, or had arisen in the army while it remained in the field.

" 5. The writing of the king's letters, and the executing of the charters, or other deeds, that issued from the crown, became also the subject of a distinct occupation, that of the secretary. In those times, when the clergy acquired great influence, and when a proficiency in the art of writing supposed an uncommon degree of literary education, the only person likely to be qualified for this employment was the chaplain; who might be considered as, in some degree, the keeper of the king's conscience; and who, from the

nature of those religious offices which he performed, could seldom fail to acquire the confidence of his master.

" When signatures were introduced, for ascertaining the authenticity of writings, the office of keeping the king's seal, and of appending it to his deeds, was committed to the same person who had been employed in writing them.

" As in determining law-suits, it was found expedient, in many cases, to take down the sentence of the judge in writing, the secretary was naturally employed for this purpose; and became keeper of the records of the king's court. From this branch of his duty, he got the appellation of chancellor; which is said to have originally denoted a scribe, or notary; being derived from cancella, the place under the Roman government, allotted to persons of that profession for carrying on their business.

" As this arrangement in the domestic administration of the sovereign, supposes considerable wealth and magnificence; it was probably of a later origin in England than in several of the kingdoms upon the continent. It is reasonable to suppose that the whole of the king's household was at first committed to one principal servant; whose business having been, by little and little, augmented and rendered more burdensome, was at length divided into these five different departments. A similar plan of administration, in a more limited sphere, was adopted by every great landed proprietor; who naturally multiplied his chief domestics in proportion to the extent of his wealth; and often followed the example of the king, by dividing the affairs of his household into the same number of branches.

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"The longer these great officers had been established, they rose to higher degrees of consideration; and their authority was farther extended, from the superintendence of the king's household, to the direction and management of the kingdom. As, for the most part, they were originally chosen by the sovereign, upon account of their superior wealth, or abilities, which rendered them capable of supporting his dignity in the execution of the business committed to them; so the trust and confidence which he reposed in them, together with the share of public administration which they enjoyed, afforded them numberless opportunities of augmenting their private fortunes, and of increasing their influence. In proportion to their advances in wealth and power, they were in a condition to render their offices more permanent. They were originally nominated by the king during pleasure; but that superiority, which had been the inducement to their first promotion, became commonly more and more conspicuous during the continuance of their employments. It was, therefore, seldom found convenient to displace them: and, even after their decease, the heir of that estate which they had acquired was naturally regarded as the person best qualified, and who had a preferable claim to inherit their dignity. By long usage, these offices were thus rendered hereditary in particular families. To this observation, however, the office of chancellor, in most European countries, is an exception. As the chancellor was unavoidably a clergyman, who held his rank in the church, and the estate connected with it, only during life, he would commonly have neither any opportunity of se-

curing the office to his family, nor any desire of annexing it to his ecclesiastical dignity.

"Of the influence established by the great officers of the king's household, the political constitution of Germany affords a remarkable instance. When the dominions of that empire, by the conquest of large territories in Italy, and in the Southern part of France, had been so enlarged as to comprehend three distinct kingdoms, the emperor was induced, in that situation, to appoint three different secretaries. The officers of his household were, upon this account, increased to the number of seven. In the progress of the German government, the power of these great officers advanced, as that of the emperor declined; and after the imperial dignity had become entirely elective, they assumed the privilege of proposing, to the national assembly, the successor to the crown; from which they at length proceeded to claim a sole right of electing him. Hence the origin of that precise number of persons who composed the primitive German electors.

"The steward was generally the officer of greatest importance in the king's household; because the supplying of his majesty's table with provisions was regarded as the chief concern of the family. We accordingly find that, in several countries of Europe, the person who enjoyed this hereditary office, attained a degree of rank and opulence which rendered him formidable to the sovereign. In France, the mayors of the palace, after having for a long time possessed the real power and authority of the crown, were at length emboldened to throw off the mask, and openly to mount the throne.

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"When the use of cavalry in war had become very extensive, and when that part of the feudal armies had the principal share in deciding the fate of battles, the constable, or marshal, was frequently in a condition to dispute the superiority with the steward or mayor of the palace. Thus, in Germany, when the throne happened to be vacant, the elector Palatine, the mayor of the palace, was anciently appointed, for preventing the bad consequences of an inter-regnum, to be the vicar of the empire. But in a subsequent period, this high dignity was claimed by the elector of Saxony, the constable; and, after violent disputes, and various determinations of the diet, was at last divided between those powerful competitors.

"In the ages of greater civility and improvement, when, from the complicated connections of society, its laws became numerous and of difficult interpretation, and when, from the anxiety of individuals to ascertain their rights, the charters and writings proceeding from the crown were multiplied in proportion, the secretary, or chancellor, to whom the king committed that branch of business, was invested with powers of the greatest consequence, and therefore was exalted to the highest rank.

"In those opulent and polished nations which have long been reduced under an equal and regular government; in which the impartial distribution of justice is looked upon as almost a matter of course; and which the sovereign is accustomed to govern by influence, more than by the exertion of his prerogative; in such nations, the person who presides over the public treasury, who may be regarded as the substitute of the chamberlain, be-

comes the great channel through which the revenue of the state is conveyed, and by which the authority of the crown is maintained.

"It is hardly necessary to remark, that this distribution of the business in the king's household, into five departments, reaches far below the simple period of the Anglo-Saxon government which we are now considering. But, on the other hand, it merits attention, that when the exaltation of the sovereign had multiplied the occupations belonging to these different branches, it became expedient, in some of them, to appoint a variety of deputies; many of whom, in particular kingdoms, rose by degrees to such consideration and rank, as to appear no longer in a subordinate station, and even to make the origin of their appointment be forgotten. This circumstance must not be overlooked in perusing the enumeration, given by many historians, of the principal officers in the court, or household of particular princes.

"From the foregoing imperfect sketch of the powers of the sovereign, as well as of the constitution and privileges of the Wittenagemote, we may be enabled, notwithstanding the darkness of our ancient history, to form an idea of the original English constitution. How remote this was from an absolute monarchy, must be apparent to every one, who considers that the privilege of legislation, together with that of determining peace and war, and even that of controuling the executive power, was lodged in the national assembly. Neither can this government be deemed in a high degree, aristocratical; since the national council was composed, not of a small junta of nobles, but of all the landed proprietors, comprehending a great pro-

proportion of the whole people. It seems in fact, to be that sort of political system which is likely to be established in all rude and extensive countries; before a few individuals have accumulated so much wealth as enables them to domineer over their inferiors; and before the king, in consequence of his high station and prerogatives, has had leisure to acquire a revenue sufficient to overthrow and bear down any opposition that can be apprehended from the most opulent of his subjects. It cannot, however, escape observation, that, although the powers committed to the monarch by the early Saxon constitution, were small, they were not accurately defined; and that in the exercise of them he enjoyed, upon this account, a good deal of latitude. Accurate limitations of power, and a regular system of subordination, the fruit of experience and foresight, cannot be expected to characterize the institutions of a simple people; who are usually guided by their feelings more than by reflection, and who attend more to the immediate effects of any measure, than to its remote consequences. As the Anglo-Sax-

on princes were entrusted with every branch of public administration, in which the Wittenagemote did not think proper to interfere; their conduct was directed in a great measure, by particular conjunctures, and by the different unforeseen events which accidentally required their interposition. We need not be surprised, therefore, if in perusing the history of that period, while we discover strong marks of the weakness of the crown, we should also meet with some extraordinary exertions of the prerogative; and should at the same time observe, that these were suffered to pass without censure, or even without notice. It is a common source of mistake, among political writers, to consider these extraordinary exertions as proofs of the ordinary state of the government; and to adduce as an illustration of the general practice, what is only the random and casual exercise of a power, not yet brought to a regular standard. We shall now examine the changes produced in the English constitution from the reign of Egbert to the Norman conquest."

Of the ORIGIN of the PETTY JURY, and the GRAND JURY.

[From the same Work.]

FROM the progressive alterations, which have been mentioned, in the English courts of justice, it is natural to conclude, that the judges were continually advancing in experience and knowledge, and that the forms of judicial procedure were daily attaining higher degrees of perfection. Of

all the institutions relative to the management of judicial business, which may be considered as the effect of that improvement, those of the petty jury, and the grand jury, are most deservedly the boast of English jurisprudence; and as, in the period which we are now examining, both of them appear to

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have arrived at their complete establishment, a review of the circumstances from which they proceeded, and of the steps by which they were introduced, may not be improper.

"1. I had formerly occasion to observe, that, under the government of the Anglo-Saxon princes, the chief magistrate of a county, or of a hundred, found it unnecessary, in the determination of law-suits, to call a full meeting of the courts over which they presided; and, for the greater dispatch of the business, as well as for the ease and convenience of the people, were accustomed to select a certain number of the freemen, or allodial proprietors, in each particular cause, to assist in giving a decision. Hence the first idea of the petty jury was probably suggested.

"In a subsequent period, a similar practice was adopted in the courts of a barony. When the vassals of a superior had acquired hereditary fiefs, they were no longer under the necessity of submitting to his arbitrary will; and in regulating their conduct, as well as in distributing justice among them, he found it expedient to act with their advice and concurrence. To have assembled the whole of his vassals, for the determination of every law-suit, would have been too great a hardship upon them; but a moderate number were convened, in order to satisfy the parties, and to give weight and authority to the sentence.

"The calling, occasionally, a number of the vassals, in each case, to assist the superior, was a more natural expedient, than the appointment of certain permanent assessors. It was attended with no trouble or expence; for every vassal was bound not only to fight for the superior, but also to per-

form such other services as might be requisite, in order to support his authority and dignity. According to the simple notions of that age, these persons were sufficiently qualified to determine the points referred to their decision; more especially as they might receive advice and direction from the magistrate. In some respects they were held even preferable to every other sort of judges; being men of the same rank and condition with the parties; and, from their situation, having frequently access to know the state of the controversy, as well as the circumstances of the facts in question.

"The introduction of juries in the courts of a barony, arose from the establishment of hereditary fiefs; for, so long as vassals held their land precariously, or even were not secure of transmitting it to their posterity, they had too much dependence upon their superior, to dispute his authority, either in settling their differences or punishing offences. We may easily suppose, therefore; that, under the Anglo-Saxon government, this mode of procedure was not very common; because the custom of securing landed estates to the heirs of a vassal was then far from being general. It is from the reign of William the Conqueror, that we may date the remarkable extension of jury-trials; proceeding partly from the imitation of Norman or French customs; but still more from the completion of the feudal system, and the consequent multiplication of hereditary fiefs.

"It merits attention, that this institution had been hitherto limited to the hundred and county courts, and to those of a feudal barony, but never had taken place in the judicial proceedings of the national council. The causes which came
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under the cognizance of the Witenagemote were not so numerous, as to create much trouble to its members, or to suggest the measure of devolving that branch of business upon any sort of committee, or partial meeting, in place of the full assembly.

“ Upon the establishment of the Anglo-Norman parliament, its ordinary judicial business was, in a short time, committed to the *aula regis*; a court which at first consisted of several members, but was afterwards held by a single magistrate, the deputy judge of the sovereign. This tribunal was properly the ordinary baron-court of the king; and, being in the same circumstances with the baron-courts of the nobility, it was under the same necessity of trying causes by the intervention of a jury. As the vassals of the crown were usually more independent of the king, than the rear-vassals were of their immediate superior; it is not likely, that, while justice was administered by the *parcs curie* to the latter, the former would submit to the decisions of a single magistrate, named at pleasure by the sovereign. We find, accordingly, that, by a general law in the reign of Henry the Second, either party in a law suit was allowed to decline the customary mode of trial by single combat, and to demand that his cause should be determined by an assize or jury of twelve persons. From this time forward, there can be no doubt that jury-trials were admitted in all the courts of ordinary jurisdiction. They are expressly recognized and established by the great charters of king John, and of Henry the Third.

“ When the office of the grand justiciary was abolished, in the reign of Edward the First, and when the

powers of the *aula regis* were distributed to the king's bench, the common pleas, and the exchequer, it was natural for these courts to follow the same forms of procedure which had been observed by that high tribunal to which they were substituted. The former practice of determining law-suits by a jury, was doubtless viewed, at the same time, in the light of a privilege, which the nation would not have been willing to resign. The number of judges, in each of the court of Westminster-hall, was much inferior to that of the ordinary size; and, as they were not men of the same rank with the parties, it was not likely that the same degree of confidence would be reposed in them. To have transferred the powers of an institution so popular as that of juries, to a set of courts constituted in this manner, would, notwithstanding the late advances of prerogative, have been a dangerous measure. What is called the petty jury was therefore introduced into these tribunals, as well as into their auxiliary courts employed to distribute justice in the circuits; and was thus rendered essentially necessary in determining causes of every sort, whether civil, criminal, or fiscal.

“ But, previous to the prosecution of offences, there must be information of their existence; and frequently, too, the immediate interposition of the magistrate is necessary, to apprehend and imprison the offender. In a rude nation, however, especially if it is of considerable extent, many crimes are likely to be hid from the public eye, and to escape the examination of any court. It appears, accordingly, that, in modern Europe, this branch of police had early become an object of general attention.

To make inquiry concerning the commission of public offences, and to transmit an account of them to the criminal court, was one great purpose of the appointment of coroners; a set of officers who had place not only in England and Scotland, but in the greater part, if not in all, of the feudal kingdoms upon the continent.

"The office of the coroners, in England, is of so great antiquity, that the commencement of it is entirely lost in obscurity. It seems to have been an immemorial custom of the Anglo-Saxons, that several persons of distinction should be named by the freeholders in each county, with power to secure and imprison criminals of all sorts, to the end that they might be brought to a trial. From this employment, these officers, as in after times the justices of the peace, found the means of assuming a criminal jurisdiction, which, from small beginnings, became gradually more and more extensive. Another branch of business, devolved upon the coroner, and which may be regarded as an appendage or consequence of the former, was that of ascertaining and determining the value of the fines, amerciaments, and forfeitures, or of any other emoluments, which accrued to the sovereign, either from the condemnation of public offenders, or from the right of the crown to all the goods, of which no other proprietor could be found.

"When the coroner had occasion to enquire into the truth of any fact, either with a view to determine those matters which fell under his own jurisdiction, or in order to transmit an account of it to some other criminal court, he proceeded, in the same manner that was customary in the courts of the hundred, and of the county, by the assistance

of an inquest or jury; and the number of jurymen, who, in those cases, were called from the neighbouring townships, was not less than was employed in other judicial investigations.

"After the Norman conquest, when the *auli regis* drew to itself the cognizance of the greater part of crimes, it became the duty of the coroner to certify to that court his inquisition concerning those offences which fell under its jurisdiction; and upon this information, the most authentic that could well be procured, a trial before the grand judiciary was commenced. Upon the establishment of the king's bench, and of the commissions of oyer and terminer and gaol delivery, the like certification, and for the same purpose, was made by the coroner of these tribunals.

"But in proportion to the advancement of the prerogative, the authority of the coroner, an officer elected by the county, was diminished; his jurisdiction was daily subjected to greater limitations; and his reports became gradually more narrow and defective: whether it be that, by having a fellow-feeling with the inhabitants, he endeavoured to screen them from justice, or that, from the rust and relaxation to which every old institution is liable, his operations became tardy and inaccurate; certain it is, that he came to overlook the greater part of the offences which require the interposition of the magistrate, and his inquisition was at length confined to a few of those enormous crimes, which excite universal indignation and resentment.

"To supply the deficiency of the coroner's inquest, the sheriff, who had come, in a great measure, under the appointment of the crown, was directed, upon the meeting of judges

judges in the circuits, or of the other criminal courts, to call a jury, in order to procure information concerning the crimes committed in particular districts. Hence the origin of what is called the grand jury, by whose inquisition the judges were authorised to proceed in the trial of public offenders.

“ It is probable, that when the grand jury were first called, they made an inquiry at large concerning every fact which ought to become the subject of a criminal trial, and of their own proper motion delated the persons whom they found to deserve an accusation: but, by degrees, when the agent for the crown had been led to suspect any particular person, he was accustomed to lay before them the immediate question, how far that suspicion was well founded? Hence the two methods of finding the fact; by presentment, and by indictment.

“ It seems evident, from what has been observed, that the original purpose of the inquisition by the coroner; and of a presentment by the grand jury, was to prevent offenders from being overlooked, and from escaping a trial. When the custom of preferring indictments to the grand jury was introduced, the intention of that measure was, probably, to avoid the trouble and expence of a fruitless prosecution. But, whatever was originally intended by this practice, the necessity of procuring the previous approbation of a jury, by one or other of the forms above-mentioned, was productive of the highest advantage to the people, that of securing them from groundless or frivolous accusations. If a person is known to have committed a crime, or lies under a strong suspicion of guilt, the voice of the whole neighbourhood will probably call aloud for

justice, and demand an immediate trial of the offender. But if, on the contrary, an innocent man is attacked, if he is threatened with a prosecution, from apparently malicious motives, or for the purpose of serving a political job, it is most likely that his fellow citizens will view this proceeding with indignation; that they will consider his misfortune as, in some measure, their own; and that, from a principle of humanity and justice, as well as from a regard to their own interest, they will be excited to stand forth as the protectors of innocence.

“ This is a new instance, perhaps more conspicuous than any that we have had occasion to observe in the history of the English government, of a regulation whose consequences were not foreseen at the time when it was introduced. The great benefit arising to society from the interposition of the grand jury is not only totally different, but even diametrically opposite to that which was originally intended by it. The original purpose of that institution was to assist the crown in the discovery of crimes, and by that means to encrease the number of prosecutions. But when an accurate police had been established in the country, there was little danger that any crime of importance would be concealed from the public; and it became the chief end of the grand jury to guard against the abuses of the discretionary power with which the officers of the crown are invested, that of prosecuting public offences.

“ The employment of the coroner in Scotland, was the same as in England: and he appears to have used the same forms in the exercise of his jurisdiction. With the assistance of a jury, he enquired into the

commission of crimes; and either punished them by his own authority, or transmitted information concerning them to the competent court. The negligence of this officer seems, in that country, to have likewise produced the interposition of the sheriff, or chief magistrate of particular districts, by calling a jury for the same purpose. By a statute in the reign of Alexander the Second, it is enacted, that no prosecution, at the instance of the crown, shall proceed against any person, unless by an accusation, upon the inquisition of a jury, consisting of the chief magistrate of the place and three respectable persons in the neighbourhood. This rule continued till near the end of the sixteenth century; when, in consequence of the establishment of the court of session, and from other causes, the investigation of judicial matters, by a jury, came to be much more limited than it had formerly been. By an act of the Scottish parliament, in 1587, certain commissioners, instead of the inquest formerly called, were appointed in the several counties, for enquiring into public offences; and indictments, framed upon the report of these commissioners, were put into a list, which got the name of the porteous roll.

"The same statute empowered the king's advocate to prosecute crimes of his own proper motion: and, as he was the person employed to raise indictments, upon the information transmitted by the commissioners, he naturally assumed the privilege of determining whether the facts laid before him ought to be the ground of a prosecution or not. Thus in Scotland the ancient grand jury was abolished; and criminal actions, at the instance of the public, came, in all cases, to

be directed at the discretion of a crown officer.

"The attorney-general, in England, and the master of the crown-office, have acquired, in like manner, a power of prosecuting by information, without any previous authority of a grand jury; but this mode of prosecution is confined to misdemeanours tending to disturb the government, or the peace and good order of society, and is never extended to crimes of a capital nature.

"How far the nations upon the continent were possessed of a similar provision, to secure the people from unjust and groundless prosecutions, it is not easy to determine. That in the greater part of them the coroner's inquest was employed for bringing to light those disorders which required the interposition of a criminal court, there is no room to doubt. But when, from the circumstances which have already been pointed out, the method of trial by the petty jury had fallen into disuse, it is not likely that a previous inquest would still be employed to judge of the necessity or expediency of commencing a criminal accusation. From the rapid advancement of the prerogative in these nations, the sovereign was freed from any restraint in this branch of administration, and an unbounded liberty of trying public offences was committed to the officers of the crown. To whatever causes it may be ascribed, the English grand jury is now the only institution of the kind that remains in Europe; and perhaps, as it is modelled at present, there cannot be found, in the annals of the world, a regulation so well calculated for preventing abuses in that part of the executive power which relates to the prosecution of crimes."

SPECIMENS of LOVE LETTERS in the Reign of EDWARD IV.

[From the Second Volume of a Collection of Original Letters, Written during the Reigns of HENRY VI. EDWARD IV. and RICHARD III. By JOHN FENN, Esq. M. A. and F. R. S.]

“**R**IGHT reverend and worshipful, and my right well beloved Valentine, I recommend me unto you, full heartily desiring to hear of your welfare, which I beseech Almighty God long for to preserve unto his pleasure, and your heart's desire.

“And if it please you to hear of my welfare, I am not in good heele [*health*] of body, nor of heart, nor shall be till I hear from you.

For there wottnes [*knows*] no creature that pain I endure,
And for to be dead [*for my life*], I dare it not dyscur [*discover*].

“And my lady my mother hath laboured the matter to my father full diligently, but she can no more gett than ye know of, for the which God knoweth I am full sorry. But if that ye love me, as I truit verily that ye do, ye will not leave me therefore; for if that ye had not half the livelihood that ye have, for to do the greatest labour that any woman alive might, I would not forsake you.

And if ye command me to keep me true wherever I go,
I wis I will do all my might you to love, and never no mo.

And if my friends say, that I do amiss.
They shall not me let so far to do,
My heart me bids ever more to love you.
Truly over all earthly thing,
And if they be never so wrath,
I trust it shall be better in time coming.

“No more to you at this time, but the holy Trinity have you in keeping; and I beseech you that this bill be not seen of none earthly creature save only yourself, &c.

“And this letter was endited at Topcroft, with full heavy heart, &c.

By your own,
MARGERY BREWS.”

“**R**IGHT worshipful and well beloved Valentine, in my most humble wise, I recommend me unto you, &c. And heartily I thank you for the letter, which that ye send me by John Beckerton, whereby I understand and know, that ye be purposed to come to Topcroft in short time, and without any errand or matter, but only to have a conclusion of the matter betwixt my father and you; I would be most glad of any creature alive, so that the matter might grow to effect. And thereas [*suberras*] ye say, and [*if*] ye come and find the matter no more towards you than ye did afore time, ye would no more put my father and my lady my mother to no cost nor business, for that cause a good while after, which causeth my heart to be full heavy; and if that ye come, and the matter take to none effect, then should I be much more sorry, and full of heaviness.

“And as for myself I have done, and understand in the matter that I can or may, as God knoweth; and I let you plainly understand, that my father will no more money part withal in that behalf, but an 100 l. and 50 marks (33 l. 6 s. 8 d.) which is right far from the accomplishment of your desire.

“Wherefore, if that ye could be content with that good, and my poor

[170] KING RICHARD III's Address against HENRY TUDOR.

poor person, I would be the merriest maiden on ground; and if ye think not yourself so satisfied, or that ye might have much more good, as I have understood by you afore; good, true, and loving valentine, that ye take no such labour upon you, as to come more for that matter, but let (what) is, pass and

never more be spoken of, as I may be your true lover and headwoman during my life.

"No more unto you at this time, but Almighty Jesu preserve you both body and soul, &c.

by your valenti e,

MARGERY BREWS."

Topcroft, 1476-7.

KING RICHARD the Third's Address against HENRY TUDOR.

[From the same Work.]

The copy of a letter of king Richard III. persuading his subjects to resist Henry Tydder [Tudor] afterwards king of England, and declaring from whom the said Henry was descended.

RICHARD R.

Richard, &c. wisheth health, we command you, &c.

"FORASMUCH as the king, our sovereign lord, hath certain knowlege that Piers, bishop of Exeter, Jasper Tydder [Tudor], son of Owen Tydder, calling himself earl of Pembroke, John late earl of Oxford, and sir Edward Wodeville, with others diverse, his rebels and traitors, disabled and attained by the authority of the high court of parliament, of whom many may be known for open murderers, advowterers [adulterers], and extortioners, contrary to the pleasure of God, and against all truth, honour and nature, have forsaken their natural country, taking them first to be under the obedience of the duke of Bretagne and so him promise certain things, which by him and his council, were thought things too greatly unnatural and abominable, for them

to grant, observe, keep, and perform, and therefore the same utterly refused.

"The said traitors seeing the said duke and his council would not aid nor succour them nor follow their ways, privily departed out of his country into France, and there taking them to be under the obedience of the king's ancient enemy, Charles calling himself king of France, and to abuse and blind the commons of this said realm, the said rebels and traitors have chosen to be their captain one Henry Tydder [Tudor], son of Edmund Tydder, son of Owen Tydder, which of his ambitious and insatiable covetise [covetousness] encroached and usurped upon him, the name and title of Royal Estate of this realm of England; whereunto he hath no manner of interest, right, title or colour, as every man well knoweth; for he is descended of bastard blood, both of father's side, and of mother's side; for the said Owen the grandfather, was bastard born; and his mother was daughter unto John, duke of Somerset, son unto John, earl of Somerset, son unto dame Katherine Swynford, and of their indoubt

ble avoury gotten; whereby it evidently appeareth, that no title can nor may in him, which fully intendeth to enter this realm, proposing a conquest; and if he should achieve his false intent and purpose, every man's life, livelihood, and goods, shall be in his hands, liberty, and disposition; whereby should ensue the disheriting and destruction of all the noble and worshipful blood of this realm for ever, and to the resistance and withstanding whereof every true and natural Englishman born, must lay to his hands for his own surety and weal.

"And to the intent that the said Henry Tyder might the rather achieve his false intent and purpose by the aid, support, and assistance of the kings ancient enemy of France, *(he)* hath covenanted and bargained with him, and all the council of France, to give up and release in perpetuity all the right, title, and claim, that the king of England have had, and ought to have, to the crown and realm of France, together with the duchies of Normandy, Anjou, and Mayne, Gascoign and Guyfnes, Cassell, and the towns of Calais, Guyfnes, Hammes, with the marches appertaining to the same, and dislever and exclude the arms of France out of the arms of England for ever.

"And in more proof and shewing, of his said purpose of conquest, the said Henry Tyder hath given *(given)*, as well to divers of the said king's enemies, as to his said rebels and traitors, archbishopricks, bishopricks, and other dignities spiritual; and also the duchies, earldoms, baronies, and other possessions and inheritances of knights, esquires, gentlemen,

and other the king's true subjects within the realm; and intendeth also to change and subvert the laws of the same, and to enduce *[introduce]* and establish new laws and ordinances amongst the king's said subjects.

"And over this, and besides the alienations of all the premises into the possession of the king's said ancient enemies, to the greatest anytishment *[annihilation]*, shame, and rebuke, that ever might fall to this said land, the said Henry Tydder and others, the king's rebels and traitors aforesaid, have extended *[intended]* at their coming, if they may be of power, to do the most cruel murders, slaughters, and robberies, and disherisons, that ever were seen in any christian realm.

"For the which, and other inestimable dangers to be eschewed, and to the intent that the king's said rebels, traitors and enemies, may be utterly put from their said malicious and false purpose and soon discomforted, if they enforce *[endeavour]* to land.

"The king our sovereign lord willerth, chargeth, and commandeth, all and every of the natural and true subjects of this his realm, to call the premises to their minds, and like good and true Englishmen to endower *[furnish]* themselves with all their powers for the defence of them, their wives, children, and goods, and hereditaments, against the said malicious purposes and conspirations, which the said ancient enemies have made with the king's said rebels and traitors, for the final destruction of this land, as is aforesaid.

"And our said sovereign lord, as a well willed, diligent, and courageous prince, will put his most royal person to all labour and pain.

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[172] KING RICHARD III's Address against HENRY TUDOR

necessary in this behalf, for the resistance and subduing of his said enemies, rebels, and traitors, to the most comfort, weel, and surety of all his true and faithful liege men and subjects.

"And over this, our said sovereign lord willeth and commandeth all his said subjects, to be ready in their most defensible array, to do

his highness service of war, when they by open proclamation, or otherwise shall be commanded so to do, for resistance of the king's said rebels, traitors, and enemies. And this under peril, &c.

"Witness myself at Westminster, the 23d day of June in the second year of our reign."

M I S C E L

MISCELLANEOUS PAPERS.

LETTERS on the BREEDING and TREATMENT of SILK WORMS.

[From the Fifth Volume of the Transactions of the Society for the Encouragement of Arts, Manufactures, and Commerce.]

Miss RHODES's LETTER.

EQUALLY influenced by your request, and the recollection of my own promise, I again renew the task on which the society has bestowed such an high degree of attention, and approbation: and although in the prosecution of my scheme, I have experienced disappointments which effectually exclude me from the prize my ambition led to, I cannot think myself totally unfortunate, since those very disappointments may supply the most useful hints to others, and, however paradoxical it may appear, are so many new proofs of the practicability of my plan.

"I congratulate myself on your having seen my manufactory last summer, as you can witness the number of silk worms I fed. I had calculated that thirty thousand would produce me about five pounds of silk, and at the time you saw them, I had many more than that number. They were extremely healthy, and supplied plentifully with food by the generous exertions of my friends, who, with unexampled kindness, sent me fresh leaves daily, although some of them

resided at the distance of fifteen, and twenty miles from me.

"About the beginning of July, the worms had attained their full growth, and arrived at that state of beautiful transparency which predicts their disposition to spin: but at this crisis, a chilling north east wind set in, and we felt a degree of cold little short of some of the severe winter months. Such an uncommon season had never been remembered here, and its baneful effects were visibly displayed on my little family. All those that were ready to spin became of such an icy coldness, that it was scarcely possible to bear them on the hand: they made some feeble efforts to eject the thread from their mouths, but in vain, for they shrunk into their chrysalis state, without being able to form even the web, which incloses the cone. This was equally new and alarming to me, and I watched them with the most anxious attention. The principle of life was visible in them as in the chrysalis's which had spun. That this change was the effect of cold, I had no doubt; but I wished to discover how that effect was produced, and this I could only do by opening some of them. On examination I found

found that the glutinous matter which forms the silk, was become so highly congealed by the cold, that it resembled a strong tendon, both in appearance, and tenacity; whereas I had ever found it to be perfectly fluid in those worms which were employed in spinning.

"My distress encreased hourly, for thousands went off thus every day. It was sufficiently obvious that the making of fires would remedy the evil; but they were unfortunately situated over a range of warehouses, which rendered that, not only dangerous, but impossible. To remove such numbers into the house was equally impracticable; but alas! they were soon sufficiently reduced for me to adopt that plan, and in one of the coldest days I almost ever felt, with the assistance of several of my friends, I removed them to their former apartment. Here I kept large and constant fires, and the worms as they arrived at maturity, pursued their industrious occupations with alacrity.

"From this you will perceive fir, that cold, though it impedes their growth, does not essentially injure the worms, until they arrive at the state for spinning; and that then, a certain degree of heat is requisite to render the silk sufficiently fluid, for them to eject it with ease. If I could have made fires at first, I am persuaded that the dreadful havoc would have been prevented; and those who rear them for profit, may readily construct places, where an artificial heat may counteract the effects of an uncommon season, and prevent such a calamity.

"Although the whole summer was with us, unusually cold, I lost none until the time I have mentioned: but those which I preserved, by a removal into the house, were

comparatively few indeed! not more than five or six thousand.

"I well know that the generality of the world, form their opinions of the expediency of such an attempt as this by its eventual success: but surely my failure may be compared to that of the poor farmer, who beholds with delight, a plenteous crop bending for the sickle, which by a sad reverse, a succession of descending torrens destroys; and who nevertheless renews his toil of culture, with better hopes from the succeeding year. True it is that in one instance we differ materially, for he has no security against another bad season, whilst an artificial arrangement can to me, distribute a sufficient degree of warmth. The effort I made this year, if successful, would have been final: I must now persevere two or three years longer, for I have resolved not to relinquish my design until I have obtained the quantity of silk necessary for a dress. This was originally my sole motive, but I have the pleasure of thinking, that I have abundantly established the following facts.

"First, That the management of the silk worm, is by no means difficult, the principle objection having been obviated, by the discovery, that they may be supported so long a time, on an indigenous plant, which may be procured in all situations.

"Second, That our climate supplies a sufficient degree of warmth to bring the silk to the highest perfection, unless in very extraordinary seasons, which may be guarded against by the construction of fire-places.

"Third, And that the profits which arise from the manufacturing of silk, are immensely advantageous, one fourth part of the price

of silk being adjudged enough to defray the whole expences. I know of few circumstances which would gratify me so much, as the having been the means of promoting the establishment of a silk manufactory on a large scale.

“ There was a patent granted by George the First, for the encouragement of one; and two thousand mulberry-trees, were actually planted at Chelsea for that purpose: how it miscarried I have not learnt; but many of the trees must certainly remain, therefore that would be the spot best calculated for the trial. For this circumstance, I am indebted to a very ingenious Essay on the Silk Worm, published by Henry Barham, esq. in the year 1719, which abounds with the most useful information I have yet met with on the subject; and in which, my opinion of the prodigious profits, and certain success, that would attend the establishment of the silk manufactory in England, is most amply and incontestibly supported.”

MR. SWAIN'S LETTER.

“ I HAVE just now perused the fourth volume of the Transactions of your patriotic society, and it is with inexpressible satisfaction, I observe the rapid progress towards perfection which the arts and manufactures of this country are daily making under their auspicious patronage. What I am particularly pleased with in the volume I have just read, is, the attention still continued to, and the increasing proofs of the practicability of the raising of silk in this island. The elegant letters of miss Henrietta Rhodes, inserted therein, have induced me to send you the following remarks, together with the specimen of silk, inclosed in the same cover; these however, are by

no means intended as candidates for a distinction similar to that where, with the letters of that ingenious young lady have been most deservedly honoured by the society, (as I am conscious they have no pretensions of this kind) or in the light of rivalry; but merely to corroborate the testimony there adduced, that the production of merchantable silk from worms fed in this island, is not only practicable, but that there would be almost a certainty of a manufactory of that kind succeeding, were there a sufficiency of proper food easily procurable for the worms which produce it. That food I am confident will never be found in the leaves of any other tree, or plant, than those of the mulberry. For although silk worms will feed on the leaves of lettuces, and will sometimes spin their web, and go through their several metamorphosis without any other food, when they have been accustomed to that from their first exclusion from the eggs; yet they will never thrive so well, become so large, or spin a web either so good in quantity, or so abundant in quality, as when they have been fed during their whole existence in the larva state, on their natural food mulberry-leaves. And supposing the leaves of lettuces to be an equally proper food for them, yet the great extent of land necessary for the growth of lettuces sufficient for the consumption of any considerable number of worms, must surely render ineffectual every attempt to raise silk upon that plan.

“ In the society's second volume we have an account of a very ample reward bestowed on a Mrs. Williams, of Gravesend, for her communications on the subject of silk worms, chiefly tending to shew that a substitute for mulberry-leaves

had

had been discovered. I have tried most of those plants recommended by her, and several others, without the smallest appearance of success. The worms would sometimes eat them, but whenever they did, it always proved prejudicial to them, and generally destructive.

"In the valuable paper subjoined to Mrs. William's Letters, written by the honourable Daines Barrington, it is hinted that a succedaneum for mulberry-leaves might be discovered by examining what insects, in this country, feed upon the mulberry, in common with other plants; presuming from thence, if any should be found, that those plants would resemble each other in their flavour and nutritive qualities. Could any insects be found in the circumstances before mentioned, it might possibly lead to such a discovery. But your correspondent misg Rhodes, has remarked (and I have myself noticed the same) that no indigenous insect of this country preys on the leaves of the mulberry; not even the race of the aphides, those almost universal plunderers.

"As a farther direction to a research of this kind, the observation of botanists may be adduced, that plants of the same natural class and order have a near resemblance in their virtues and qualities. This clue would lead us to only a few plants of the native growth of this island, which stand in the above degrees of affinity to the mulberry: and these are, the nettle, the box-tree, the birch-tree, and the alder. The most likely of these I should suspect would be the birch: for I have not tried either of them, neither do I recommend the experiment to others; as I think all experiments with a view to procure a substitute for the mulberry quite unnecessary. For what necessity

can there be for ranging in quest of other food, when the mulberry-tree itself, the acknowledged proper and natural food of these insects, will thrive and prosper in this country as well as most other trees. In very poor soils indeed they grow sparingly. But in soils tolerably rich, either those that are naturally so, or enriched by art, they vegetate with all the luxuriance that can be wished. I at present know the owner of two mulberry-trees, which have not been planted more than fifteen or sixteen years from the layers, which, in my opinion, would each of them have maintained for these two or three years past, near three thousand worms in a season.

"The chief reason alledged for the necessity of finding out a substitute for mulberry leaves, is, that these leaves are not produced early enough in this climate to become the food of the infant worms. It is well known, that the leaves of the mulberry-tree, seldom begin to unfold themselves before the latter end of May, or the beginning of June. It is likewise a matter of notoriety, that those few silk worms which have as yet been bred in this island, have mostly been hatched by the beginning of May, or even earlier. From hence there has been supposed a necessity for providing some more early vegetating plant for their food, before the leaves of that tree are ready for them. That no such necessity exists is to me very apparent. Is it not natural to conclude, that the constitution of the air, respecting warmth, should at one and the same time expand the leaf, and protrude the insect which was intended by all-wise providence to inhabit and feed on that leaf? This, we may observe is the constant course of nature, with respect to all other insects

insects and their food. We have every reason to suppose that this is the case with the silk worms, and the mulberry leaves, in those countries where both are indigenous: and I have not the shadow of a doubt that this effect would naturally and invariably obtain as well in this climate as any other, did not human imprudence interpose to prevent it, and art obstruct the intention of nature. The eggs of silk worms, have in this country, been generally confined to the care of young people, and chiefly those of the female sex. They have been preserved in bureaus, and chests of drawers, in rooms where fires have been constantly kept during the winter season. In the spring, as soon as the influence of the sun began to be powerful, the eagerness of youthful curiosity, has caused them to be removed to windows, where the sun exerted its full power: and in this situation they have been generally forced into existence, within a few hours, in a season, when the temperature of the air was unfit for them, and when their proper food could not be procured.

“One of your late correspondents on this subject, Mrs. Williams, has proved that the hatching of the eggs may be accelerated, and has averred, that it is even possible to hatch them in the midst of winter: the other, miss Rhodes, has experienced that it may be retarded beyond the usual time, since in her second letter, dated the 24th of August, 1785, she informs you, that her silk worms eggs, in that year, were not hatched until the second of June, and not even then, without being placed in the sunshine. I have this season retarded it longer, until the middle of June; when likewise it was effected, by exposing

the eggs to the vivifying influence of that great source of life and light. There cannot then, I think, be the least doubt that the eggs of silk worms may be hatched at almost any time. And I should recommend it to every person who shall hereafter engage in the business of breeding these worms, unless it be for mere amusement, to take care that this effect does not take place until the mulberry-tree is nearly in full leaf.

“There are three reasons which appear to me of great weight for recommending the full foliation of the mulberry-tree, as the regulator in this matter. The first is, that there may be a sufficient store of their natural food ready for the young worms, as soon as they come forth from the eggs, which will preclude all necessity for seeking after other food. A second is, that these worms being originally natives of a warm climate, may be sure to be brought to life when the air is of a temperature congenial, and agreeable to them; since it is a general observation among gardeners, that when the mulberry-tree begins to expand its foliage, it is a certain sign of the near approach of fine, warm, settled weather. A third reason is, that the mulberry-trees may be permitted to put forth a good quantity of leaves before any of them are plucked, that so they may not suffer so much in health from that operation, as they otherwise would do, and may be equal to the support of a much larger stock of insects. For it is certain, that the leaves are as necessary to the life of a vegetable, as the skin or the lungs are to that of an animal. If therefore most of the young leaves are immediately cropped off, as soon as they are put forth, the consequence undoubtedly

will be, that the tree will be so weakened and retarded in putting forth its leaves, that it will not produce near the quantity it would otherwise have done, and if this usage be often repeated, will inevitably be destroyed. To this last mentioned circumstance I impute it, that the tender heart of your fair Shropshire correspondent suffered those mortifying apprehensions which she has so feelingly described in her first letter of your late publication; and that so considerable a number as twelve large mulberry-trees were scarcely adequate to the maintenance of ten thousand worms.

"If what I have asserted in the beginning of this letter be a fact, that no other vegetable can ever be substituted, with advantage, as the food of silk worms; it will follow, that before any attempt to breed them upon an extensive plan can succeed, it is absolutely necessary that the mulberry-trees should become much more numerous than they are at present. Of this the society, it should seem, have long been convinced; since they have, through a succession of years, professed rewards for increasing their number; but hitherto, I believe without success.

"From the premiums No. 40, and 41, in the class of Agriculture, as they now stand in the last volume, I was led to apprehend, that the society had given up the matter in despair; and that those premiums were intended to be discontinued. I hope my apprehensions will prove groundless; and to have been occasioned merely by typographical error.

"If it would not subject me to the imputation of impertinence or presumption, I would recommend it to them to multiply their premi-

ums on this head, and to be particularly liberal in their offers.

"There are three modes of raising mulberry-trees, to which we are directed by nursery-men. The raising them from layers, from seed, and from cuttings. The chief method now in practice for those few trees there is a demand for, is by layers. But this is supposed to be an insufficient mode, where great numbers are wanting. And yet elm trees, which are planted in such numbers in this country, are chiefly propagated by this method. The mode of raising them from seed, is not only tedious but uncertain; as the seed seldom ripens sufficiently in this climate, and the dependence on foreign seeds of any kind is extremely precarious. The late premiums of the society have respected only the last method, namely, that of raising them from cuttings: this would be doubtless, the most advisable method for raising a large number of trees in a short time, provided the cuttings of the mulberry-tree could be made to take root as readily as the cuttings of willow, poplar, and some other trees. This however is not the case, for with the greatest care many of these cuttings will not grow, unless assisted by artificial heat.

"I have taken notice, that whenever the branches of a fig-tree have been sometimes inclosed in the shreds, by which they are usually tacked to the wall after pruning, abundance of budding roots are generally put forth. From hence I surmised, that cuttings of any trees might probably be prepared for taking root more certainly and expeditiously, by tying a thread of old woollen cloth or such like substance, pretty tight round every shoot that is intended for a cutting,

as soon in the summer as it has made any considerable progress, at the place where it issued from the last year's bud; I tried this experiment last season, on some cuttings of the arbor vitæ, and the althæa, the cuttings of which shrubs are known to take root in the common method with great difficulty. And though these did not succeed agreeably to my sanguine expectations, yet I am very unwilling to think this experiment decisive. May not some substance be discovered which would more powerfully solicit the incipient roots, than that which I have tried? What would attract the moisture of the air, and at the same time be void of causticity, or other corroding or injurious quality, I should imagine would be most likely to have this effect, if any such could be found.

"Perhaps the following proffer (provided the society's fund was equal to it, which from the very numerous and respectable list of members I have no doubt of) might have very beneficial consequences in respect to this object, the speedy increase of mulberry-trees. To any person who in the year ——— shall plant, or cause to be planted in any one parish, township, or place, any number of mulberry-trees, not less than fifty, of the height of three feet or upwards, in places well secured, and not within the distance of eighteen feet from each other, the sum of five guineas; to the person who shall so plant, or cause to be planted the greatest number, the gold medal in addition; to the second greatest number the silver medal in addition. Claims with certificates to be sent in immediately after planting; and other certificates to be sent, that the plants are in a growing condition two years afterwards, when the claimants should

be entitled to the rewards. And any person to have the liberty of claiming the pecuniary part of the above premium *toties*, until the society should think fit to discontinue it.

"This, I should think, would stimulate gardeners and nurserymen, to raise great quantities of these trees to plant them out for people in gardens, orchards, &c. at a low price; or even, if they could not get purchasers, to plant them gratis. The obtaining of mulberry-trees, I look upon as the first and grand object. In the scarcity of these, lies the great stumbling-block, and whenever this shall be effectually removed, I am confident that the raising of silk in this country, will be no difficult task.

"The specimen of silk, herewith sent, contains six small skeins, each of them the whole length of the web (except the waste silk first taken off, and a very little left surrounding the aurelias) of a dozen worms reeled off together. The bit of paper rolled round a part of each skein, was set as a mark to find the extremities, and to prevent all entanglement. They are sent in this detached manner, that the society may, if they please, satisfy themselves as to the length, by causing an actual measurement of each skein or thread to be taken. Whether either of them will equal the length of the spinning, measured by miss Rhodes, I much doubt. The cocoons were reeled off in hot water, wherein a little gum Senegal had been dissolved. I have reason to think, that the young lady just mentioned, has been misinformed respecting the gum being the criterion whereby to judge of the goodness of silk; since I have been assured by a very intelligent silk-throwster, that the gum, so apparent in the

bales of silk imported from abroad, is not the natural production of the silk-worm, but chiefly the addition of art: and that the silk when received, is oftentimes so highly stiffened, that the workmen are obliged to discharge much of the gum, by diluting it in water, before they can reel the silk off from the skein, or manufacture it any way whatever. I have tried the experiment of reeling off the cocoons in boiling water; it has a good effect in dissolving the natural gluten, which causes the web to part more freely; but I was never so fortunate as to find the lives of the insects preserved after passing through this severe ordeal. The most troublesome office in the business of breeding silk worms, is the cleansing them. This in the

common mode, is a tedious and disagreeable task, as well as inconvenient, if not injurious, to the worms. Miss Rhodes did not think this operation necessary oftener than once a week. It has appeared to me to be absolutely necessary to the health of the insects, when they are full grown, or nearly so, that it should be performed at least once a day. I have the idea of a simple apparatus, whereby I imagine this obstacle will be totally removed, as well as some other inconveniences, which I mean to get realized before the next breeding season. Should it please me so well when reduced to practice, as it does at present in theory, I shall take the liberty to send you either a model or description of it."

Miss GREENLAND's OBSERVATIONS on the Ancient GRECIAN Method of PAINTING.

[From the same Work.]

"TAKE an ounce of white wax, and the same weight of gum mastick in lachrymæ, that is, as it comes from the tree, which must be reduced to a coarse powder. Put the wax in a glazed earthen vessel, over a very slow fire, and when it is quite dissolved, strew in the mastick, a little at a time, stirring the wax continually, until the whole quantity of gum is perfectly melted and incorporated; then throw the paste into cold water, and when it is hard, take it out of the water, wipe it dry, and beat it in one of Mr. Wedgwood's mortars, observing to pound it at first in a linen cloth to absorb some drops of water that will remain in the paste, and would prevent the possibility of re-

ducing it to a powder, which must be so fine as to pass through a thick gauze. It should be pounded in a cold place and but a little while at a time, as after long beating, the friction will in a degree soften the wax and gum, and instead of their becoming a powder they will return to a paste.

"Make some strong gum arabick water, and when you paint, take a little of the powder, some colour, and mix them together with the gum-water. Light colours require but a small quantity of the powder, but more of it must be put in proportion to the body and darkness of the colours; and to black, there should be almost as much of the powder as colour.

"Hav-

"Having mixed the colours, and no more than can be used before they grow dry, paint with fair water, as is practised in painting with water colours, a ground on the wood being first painted of some proper colour prepared in the same manner as is described for the picture; walnut-tree, and oak are the sorts of wood commonly made use of in Italy for this purpose. The painting should be very highly finished, otherwise, when varnished, the tints will not appear united.

"When the painting is quite dry, with rather a hard brush, passing it

one way, varnish it with white wax, which is put into an earthen vessel, and kept melted over a slow fire till the picture is varnished, taking great care the wax does not boil. Afterwards hold the picture before a fire, near enough to melt the wax, but not make it run; and when the varnish is entirely cold and hard, rub it gently with a linen cloth. Should the varnish blister, warm the picture again very slowly, and the bubbles will subside.

"When the picture is dirty, it need only be washed with cold water."

ON PREJUDICE.

[From the Third Volume of the OBSERVER.]

"**P**rejudice is so wide a word, that if we would have ourselves understood, we must always use some auxiliary term with it to define our meaning: thus when we speak of national prejudices, prejudices of education, or religious prejudices, by compounding our expression we convey ideas very different from each other.

"National prejudice is by some called a virtue, but the virtue of it consists only in the proper application and moderate degree of it. It must be confessed a happy attachment, which can reconcile the Laplander to his freezing snows, and the African to his scorching sun. There are some portions of the globe so partially endowed by Providence with climate and productions, that were it not for this prejudice to the *natale solum*, the greater part of the habitable world would be a scene of envy and repining. National pre-

dilection is in this sense a blessing, and perhaps a virtue; but if it operates otherwise than in the best sense of its definition, it perverts the judgment, and in some cases vitiates the heart. It is an old saying, that "Charity begins at home," but this is no reason it should not go abroad: a man should live with the world as a citizen of the world; he may have a preference for the particular quarter, or square, or even alley in which he lives, but he should have a generous feeling for the welfare of the whole; and if in his rambles through this great city (the world) he may chance upon a man of a different habit, language or complexion from his own, still he is a fellow-citizen, a short sojourner in common with himself, subject to the same wants, infirmities and necessities, and one that has a brother's claim upon him for his charity, candour and relief. It were to be wished no traveller

would leave his own country without these impressions, and it would be still better if all who live in it would adopt them; but as an Observer of mankind (let me speak it to the honour of my countrymen) I have very little to reproach them with on this account: it would be hard if a nation, more addicted to travel than any other in Europe, had not rubbed off this rust of the soul in their excursions and collisions; it would be an indelible reproach, if a people, so blest at home, were not benevolent abroad. Our ingenious neighbours the French are less agreeable guests than hosts: I am afraid their national prejudices reach a little beyond candour in most cases, and they are too apt to indulge a vanity, which does not become so enlightened a nation, by shutting their eyes against every light except their own; but I do a violence to my feelings, when I express myself unfavourably of a people, with whom we have long been implicated in the most honourable of all connections, the mutual pursuits of literary fame, and a glorious emulation in arts and sciences.

“Prejudices of education are less dangerous than religious prejudices, less common than national ones, and more excusable than any; in general they are little less than ridiculous habits, which cannot obtain much in a country where public education prevails, and such as a commerce with the world can hardly fail to cure: they are characteristic *feraglio* princes; the property of sequestered beings, who live in celibacy and retirement, contracted in childhood and confirmed by age: a man, who has passed his life on ship-board, will pace the length of his quarter-deck on the terrace before his house, were it a mile in length.

“These are harmless peculiar-

ities, but it is obvious to experience that prejudices of a very evil nature may be contracted by habits of education; and the very defective state of the police, which is suffered yet to go on without reform in and about our capital, furnishes too many examples of our fatal inattention to the morals of our infant poor: amongst the many wretched culprits who suffer death by the law, how many are there, who, when standing at the bar to receive sentence of execution, might urge this plea in extenuation of their guilt!

“This action which you are pleased to term criminal, I have been taught to consider as meritorious: the arts of fraud and thieving, by which I gained my living, are arts instilled into me by my parents, habits wherein I was educated from my infancy, a trade to which I was regularly bred: if these are things not to be allowed of, and a violation of the laws, it behoved the laws to prevent them, rather than to punish them; for I cannot see the equity of putting me to death for actions, which, if your police had taken any charge of me in my infancy, I never had committed. If you would secure yourselves from receiving wrong, you should teach us not to do wrong; and this might easily be effected, if you had any eye upon your parish poor. For my part, I was born and bred in the parish of Saint Giles; my parents kept a shop for the retail of gin, and old rags; christening I had none; a church I never entered, and no parish officer ever visited our habitation: if he had done so, he would have found a seminary of thieves and pick-pockets, a magazine of stolen goods, a house of call where nightly depredators met together to compare accounts, and make merry over their plunder: amongst these and by these

these I was educated; I obeyed them as my masters, and I looked up to them as my examples; I believed them to be great men; I heard them recount their actions with glory; I saw them die like heroes, and I attended their executions with triumph. It is now my turn to suffer, and I hope I shall not prove myself unworthy of the calling in which I have been brought up: if there be any fault in my conduct, the fault is yours; for, being the child of poverty, I was the son of the public: if there be any honour, it is my own; for I have acted up to my instructions in all things, and faithfully fulfilled the purposes of my education.

"I cannot excuse myself from touching upon one more prejudice, which may be called natural, or felt-prejudice: under correction of the *Dampers* I hope I may be allowed to say, that a certain portion of this is a good quickener in all constitutions; being seasonably applied, it acts like the spur in the wing of the ostrich, and keeps industry awake: being of the nature of all volatiles and provocatives, the merit of it consists in the moderation and discretion which administer it: if a man rightly knows himself, he may be called wise; if he justly confides in himself he may be accounted happy; but if he keeps both this knowledge and this confidence to himself, he will neither be less wise nor less happy for so doing: if there are any secrets, which a man ought to keep from his nearest friends, this is one of them. If there were no better reason why a man should not vaunt himself, but because it is robbing the poor mountebanks of their livelihood, methinks it would be reason enough: if he must think aloud upon such occasions, let him lock himself into his

closer, and take it out in soliloquy: if he likes the sound of his own praises there, and can reconcile himself to the belief of them, it will then be time enough to try their effect upon other people.

"Ventidius is the modestest of all men; he blushes when he sees himself applauded in the public papers; he has a better reason for blushing than the world is aware of; he knows himself to be the author of what he reads.

"It seems a matter pretty generally agreed between all tellers and hearers of stories, that one party shall work by the rule of addition, and the other by that of subtraction: in most narratives, where the relater is a party in the scene, I have remarked that the *says-I* has a decided advantage in a dialogue over the *says-he*; few people take an under-part in their own fable. There is a salvo, however which some gentlemen make use (but I cannot recommend it) of hooking in a word to their own advantage, with the preface of *I think I may say without vanity*—and after all, if it was not for the vanity of it, there would be no need to say it at all.

"I knew a gentleman who possessed more real accomplishments, than fall to one man's lot in a thousand; he was an excellent painter, a fine musician, a good scholar, and more than all a very worthy man—but he could not ride: it so happened, that upon a morning's airing I detected him in the attempt of mounting on the back of a little pony, no taller than his whip, and as quiet as a lamb: two stout fellows held the animal by the head, whilst my friend was performing a variety of very ingenious manœuvres for lodging himself upon the saddle by the aid of a stirrup, which nearly touched the ground: I am afraid, I

smiled when I ought not so to have done, for it is certain it gave offence to my worthy friend, who soon after joined me on his pony, which he assured me was remarkably vicious, particularly at mounting; but that he had been giving him some proper discipline, which he doubt-

ed not would cure him of his evil tricks;" for you may think what you please," adds he, "of my painting, or my music, or any other little talent you are pleased to credit me for; the only art, which I really pique myself upon—is the art of riding."

PASQUIN'S Comparison of ANCIENT with MODERN TIMES.

[From the First Volume of the Lounger.]

"THERE are a set of cynical old men, who are perpetually dinning our ears with the praises of times past, who are fond of drawing comparisons between the ancients and moderns, much to the disparagement of the latter, and who take a misanthropic delight in representing mankind as degenerating from age to age, both in mental and corporeal endowments. With these people, all science is held to be upon the decline; arts are retrograde; the greater virtues absolutely annihilated; and morality itself tending fast to utter extinction. Even the human figure is dwindling away in stature, and diminishing in strength; the climates are altered, the seasons become yearly more inclement; the earth is losing its fertility, and the sun its heat. Now, sir, although I am disposed to admit that there is some foundation for these complaints in a very few particulars, and will, for instance, readily allow, that the music of the moderns is not quite so powerful in its effects as that of Orpheus; that Augustus king of Poland, though he could bend a horse-shoe, could not have pitched a bar with Hercules; that swans have lost the faculty of singing; and that, even in the pe-

riod of my own remembrance, there is a great decay in the art of making plumcakes and penny-pyes: yet I think it might be easily proved, that in other respects the picture is a very false one; and I am thoroughly convinced, that upon an impartial estimate of the merits of the ancient and modern world, the scale of the latter would very greatly preponderate.

"I do not intend at present to enter into a complete discussion of this important subject, but shall content myself with advancing a very few arguments in refutation of the opinion of those old grumblers I have mentioned: and I think it will be no difficult matter to shew, that the fault lies entirely in their own splenetic and peevish humours; and that the world, so far from growing worse, is in reality much better now than in ancient times. You will excuse my neglect of methodical arrangement; for as this is a picture consisting of many detached groups, it does not signify at which end we begin.

"I have been often much amazed at hearing it seriously maintained, that mankind are more vicious and abandoned in modern times, than they were in the days of antiquity. The moderns, no doubt, have made

made many notable discoveries in the arts and sciences ; but I do not find that murder, robbery, perjury, adultery, &c. are among the number. It is true, that as there is a fashion in all human affairs, which alters with the times, its influence may be observed in crimes, as well as in every thing else : but here the advantage, I will be bold to say, lies entirely on the side of the moderns. Long ago, in committing crimes, they had a barbarous and brutal method of going directly to the point. If a man had an ill-will at his neighbour, he knocked him on the head the first time he met him, or perhaps set fire to his house, and made a holocaust of him, his wife, and children. But now the mode is altered much for the better. We see none of those wild beasts in society. An enemy now wears the countenance of a friend : he shews you all the politeness in the world to your face, and only ruins your reputation behind your back : he lends you money, if you are much in need of it, and only throws you into jail when you are starving out of it : he would be the last man in the world to revenge himself on you by shooting or stabbing ; but if through his means you grow so tired of life as to cut your own throat, to be sure it is no fault of his.

“ In case, however, it should be necessary for him to be your executioner, which often happens where the injury is of a very atrocious nature ; such as, if you should by chance jostle a gentleman in the street, spit by accident on his shoe, or disturb him in a private conversation with your wife ; he gives you warning, in the politest manner, if his inten-

tions ; says, he believes you to be in every respect a man of honour ; and only requests you, by a civil card to come and be shot through the head.

“ The ancients, it must be owned, were remarkably inferior to the moderns, both in good taste and in good manners. That refinement of taste which manifests itself by a polite contempt of all home-productions, and a generous admiration of every thing that is foreign, seems indeed to be a qualification peculiar to the moderns. A well-educated British gentleman, it may be truly said, is of no country whatever. He unites in himself the characteristics of all different nations : he talks and dresses French, and sings Italian : he rivals the Spaniard in indolence, and the German in drinking : his house is Grecian, his offices Gothic, and his furniture Chinese. He preserves the same impartiality in his religion ; and, finding no solid reasons for preferring Confucius to Brama, or Mahometanism to Christianity, he has for all their doctrines an equal indulgence.

“ But how different from this the character of the Greeks and Romans ! Servilely attached to their own manners and customs, they treated foreigners with contempt. What, in effect, could be expected of them, who were such barbarians themselves, as to stigmatise all other nations by that opprobrious epithet ?

“ There is no virtue for which the ancients have got greater credit than for their patriotism ; yet on examination it will appear, that their merits in this article have been very much exaggerated. It is true, that we find among them some striking instances of this virtue

tue

tue in individuals; but it never was diffused, as with us, among the great body of the people. The porters and hackney coachmen at Rome and Athens were deplorably ignorant of the affairs of state. There were no clubs in those capitals for constitutional reformation. Carpenters and bricklayers reformed the boroughs only by the axe and hammer; shoemakers and tailors were dextrous enough at the awl and the needle, but could not mend the government.

"Perhaps even the patriotism of individuals among the ancients has got more than its due share of praise; and upon a fair estimate it might be found, that the moderns could produce equal, if not superior examples of the same heroic virtue. What is there, for instance, so remarkable in the boasted example of Themistocles and Aristides? They were bitter enemies, but forgot their quarrels when their country was in danger, and joined their interests to prevent its falling a prey to the Persians: so our modern statesmen, who the one day declare the most rooted abhorrence and detestation of each other, both in their public and private characters, the next day shake hands for the good of their country, agree in every measure, and profess for each other the most sincere esteem and veneration. Decius, it is true, devoted himself for his country, and, by sacrificing his own life, won a great victory over the enemies of Rome: but our commanders go much farther: for they devote whole armies from a pure spirit of patriotism. In short, it may be confidently asserted, that all those bright examples we read of in an-

cient story, may find their parallels in a modern newspaper.

"And now, sir, that I have mentioned a newspaper, allow me to observe, that those brief chronicles of the times afford every day numberless proofs of the superiority of the moderns to the ancients, in many of the most useful arts and sciences. In that most noble of all arts, the art of healing, so great is the perfection to which the moderns have attained, that one of your predecessors has very justly expressed his astonishment at reading in the bills of mortality the great number of people who chuse to die of such and such distempers, for every one of which there are infallible and specific cures. To be sure, there is no helping the folly of some people, who will persist in refusing a cure till they are in a manner *in articulo mortis*, (in the last agony); but it is to be hoped we shall hear no more of such determined suicide, when we read, that some of those modern Esculapiuses chuse only such patients as are precisely in the situation of incurables, to be the subjects of their practice. One of those excellent physicians professes, in his advertisements, that he wishes none (his words are strongly exclusive) to apply to him, but such as have been deemed incurable, or made such by the faculty; thereby encouraging the diseased of all kinds first to take every possible means to render themselves incurable, that they may thus be qualified for being perfectly cured by him.

"Somewhat analogous to the science of medicine, is the art of repairing the human figure. And here, sir, the pre-eminence of the moderns is equally distinguished. In this most useful art, the skill of the

the ancients went no farther than to give a little exterior embellishment to the countenance. They knew nothing of that creative power which extends to the making of limbs and organs as well as features. The parchment-calves, the cork-rump, and bolster'd spring boddice; the making of glass eyes, and the transplantation of teeth, are all inventions absolutely modern. And since we know for certain, that mechanism is now so perfected, that a wooden man can be made to perform a solo on the violin, play a game at chess, walk, and even utter articulate sounds; I see no reason to doubt, that in process of time we may have artificial men currently walking the streets, performing all the functions of life, and discharging their duty in society just as well and more peaceably than the real ones. When the art of making *automatons* has attained to this perfection, which we may reasonably hope will happen in a very few years, we may congratulate ourself on the very great

political benefits which must arise from this admirable invention. As there is no doubt that the merits of this class of men will entitle them to the highest promotions, it is then we may expect every department of the state to be supplied by a set of upright and inflexible magistrates: the great machine of government will be most ably conducted: judges will administer justice with the most rigid impartiality; and (what is the great *desideratum* of the present age) a wooden king may sit at the helm of affairs, who will support the dignity of the crown with no expence to the nation, and relieve them at the same time of all their anxious fears about the extension of his prerogative.

"I could easily, sir, draw out this estimate to a much greater length; but believing I have already said enough to produce a thorough conviction of the truth of my proposition, I subscribe myself with great respect, yours, &c."

On the EVILS of GOOD NEIGHBOURHOOD.

[From the Second Volume of the same Work.]

"**A**T the age of thirty-five I succeeded, by the death of a near relation, to a considerable land-estate. Upon this event I resolved to fix my residence at the family mansion-house. I was very little acquainted with that part of the country where it was situated; but I was told it was an uncommonly good neighbourhood; and that I should be particularly fortunate in having it in my power to enjoy an excellent society. I found

a tolerable library of old books, to which I added a pretty extensive collection of modern ones: from the perusal of them, from the attention which I proposed to give to the culture of a part of my estate which I meant to farm myself, and from the enjoyment which I expected to reap from the company and conversation of my good neighbours, I was in hopes that my life would slide on in a very agreeable manner.

"Being

"Being naturally of an easy temper, and desirous of being on good terms with every one around me, as soon as I came to fix my abode, I made it a principal object to get acquainted with my neighbours, and to establish a familiar intercourse between us. Our first visits were rather formal and distant; but this gradually wore off, and our correspondence became frequent and repeated. Their invitations to me were numerous; and I did not fail to ask them in return. I endeavoured to make my welcome as warm as theirs, and to treat them with the same marks of hospitality which I received.

"But, sir, I now find that what I expected would have been one of the blessings of my situation, has become one of its greatest misfortunes. My neighbours having once found the way to my house, are now scarce ever out of it. When they are idle in the mornings, which is almost always the case, they direct their ride or their walk my way, and pay a friendly visit to their neighbour Dalton. I am by this means interrupted in my attention to my farm, and have not time left to give the necessary orders. It is in vain to think of making use of my library: when I sit down to read, I am disturbed before I get the length of a few pages, and am obliged to break off in the midst of an interesting story, or an instructive piece of reasoning. I cannot deny myself, or order my servants to tell I am not at home. This is one of your privileges in town; but, in the country, if one's horses are in the stable, or one's chaise in the coach-house, one is of necessity bound to receive all intruders. In this manner are my mornings constantly lost, and I am

not allowed to have a single half-hour to myself.

"This, however, is one of the slightest of my distresses; the morning intrusions are nothing to the more formal visitations of the afternoons. Hardly a day passes without my being obliged to have a great dinner for the reception of my neighbours; and when they are not with me, good neighbourhood, I am told, requires I should be with them, and give them my visitations in return. Even of the very best company, where the best conversation takes place, a man is apt, at least I have felt this in myself, sometimes to tire, and to wish for the indulgence of that listlessness, that sort of dreaming indolence, which you, sir, are so well acquainted with, and which can only be had alone. But to be constantly exposed to be in a crowd, a crowd selected from no other circumstance than from their residing within ten miles of you;—the keeper of an inn is not, in point of company, in a worse situation!

"But the merely being obliged to spend my mornings in the way I have described, and my afternoons in a constant crowd of promiscuous company, is not the only evil I have to complain of. The manner in which I am obliged to spend it in that company, is still more disagreeable. Hospitality in this part of the country does not consist solely in keeping an open house, and receiving all your neighbours for many miles round; but one must fill them drunk, and get drunk with them one's self. Having no fund of conversation with which they can entertain their landlord or each other, they are obliged to have recourse to their glass to make up for every other want, and defi-

deficiency of matter is supplied by repeated bumpers. It is a favourite maxim here, that conversation spoils good company; and this maxim is most invariably followed in practice, unless noise and vociferation, after the swallowing of more than one bottle, can be called conversation. Without injustice it may be said of most of my neighbours, that when sober they are silent, and when not sober, it were better they remained silent. I have frequently made efforts to check the riot and intemperance of my guests, and to withhold the bottle from them, when I have thought they have drunk fully as much as was good for them; but I have always found myself unable to do it. I should hate to be called a stingy fellow; and I know, if I were to establish sobriety, I should be called stingy. When I cannot keep my guests sober, I sometimes try to escape the glass, and to be sober myself; but, when I do this, I find some of them look upon me with an evil eye, as if I meant to be a spy upon the unguarded moments of my guests; others laugh at me for giving myself airs, as they call it; and I cannot bear to be laughed at.

"But riot and drunkenness are not all the ills I have to submit to. After we have drunk oceans of liquor, cards are commonly proposed; and gambling and drunkenness, though very unfit companions, are joined together. We do not play for a very deep stake, but still we play for something considerable. I do not like to lose, and yet it is equally disagreeable to win. I am commonly pretty lucky; and, in a run of luck, often suffer a good deal in gaining their guineas from people who I know well cannot afford to lose them. It is a

mortifying spectacle, to see those who are frequently together, and seem to be the greatest friends when the bottle is going round, after they have drunk as much as they can hold, sit down to pilfer one another of sums which they cannot easily pay; and which, in their sober moments, they will feel the distress of paying.

"Sometimes, to avoid play, I counterfeit sleepiness, and escape to bed. But this does not break up the party;—they are only left more at their liberty; and the morning is far advanced before matters are brought to a conclusion. The evil consequences of this to my domestic œconomy are obvious. My family is disturbed with noise during the whole night, and my servants are prevented from going to bed. My house is thus rendered a scene of confusion, and every household-concern is neglected. I wish to get up by times in the morning, and to have breakfast at an early hour: but this cannot be accomplished; for when I ring for John to bring up the tea-kettle, I am told he has not been above an hour in bed.

"The corruption of the higher orders of the family I find is spreading among the lower. Going into the servants hall one night at a late hour, when I had escaped from the gambling party in the drawing room, I found the whole servants engaged at brag. I could hardly be angry at them; they were only doing on a smaller scale what was doing on a larger above stairs; and being forced to sit up all night, they were obliged to fill up their time with something.

"I have thus, sir, laid before you some of the distresses of my situation, all of which seem to pro-

proceed from my having a good neighbourhood. I have frequently resolved to exert myself manfully to put a stop to these grievances, to quarrel with all my neighbours, and to tell them; that for the future I am to lock up my doors, and neither to give nor receive their visits. But my resolution has hitherto failed me. One of the comforts I expected to have received from living in the country, was, that I might live undisturbed; that the easiness of my temper should not be broke in upon; and that I should have no occasion for vigorous exertion. Desirous of being on a good footing with every body, and unable to bear either the censure or the derision of others, I have not been able, nor do I believe I ever shall be able, to summon up as

much resolution as to expose myself to the scorn or to the hatred of those around me.

"In this situation it has occurred to me, that if you think proper to publish this letter, it may possibly, without my taking any stronger measure, have a good effect; it may perhaps afford a hint to my neighbours, which may relieve me in some measure, without any further stir of mine. But if this shall not happen, and if my grievances shall still continue, I find I shall be obliged, however unwillingly, to give up my habitation in the country, and to take a house in town, in order that I may sometimes enjoy the pleasures of solitude and retirement, and escape the evils of a good neighbourhood. I am, &c."

STORY of ALBERT BANE.

[From the same Work.]

"WHEN I was, last autumn at my friend colonel Caustic's in the country, I saw, there, on a visit to miss Caustic, a young gentleman and his sister, children of a neighbour of the colonel's, with whose appearance and manner I was peculiarly pleased. "The history of their parents," said my friend, "is somewhat particular, and I love to tell it, as I do every thing that is to the honour of our nature. Man is so poor a thing taken in the gross, that when I meet with an instance of nobleness in detail, I am fain to rest upon it long, and recall it often; as, in coming higher over our barren hills, you would look with

double delight on a spot of cultivation or of beauty.

"The father of those young folks, whose looks you were struck with, was a gentleman of considerable domains and extensive influence on the northern frontier of our county. In his youth he lived, as it was then more the fashion than it is now, at the seat of his ancestors, surrounded with Gothic grandeur, and compassed with feudal followers and dependents, all of whom could trace their connection, at a period more or less remote, with the family of their chief. Every domestic in his house bore the family-name, and looked on himself as in a certain degree partaking

taking its dignity, and sharing its fortunes. Of these, one was in a particular manner the favourite of his master. Albert Bane (the surname, you know, is generally lost in a name descriptive of the individual) had been his companion from his infancy. Of an age so much more advanced as to enable him to be a sort of tutor to his youthful lord, Albert had early taught him the rural exercises and rural amusements, in which himself was eminently skilful; he had attended him in the course of his education at home, of his travels abroad, and was still the constant companion of his excursions, and the associate of his sports.

"On one of those latter occasions, a favourite dog of Albert's, whom he had trained himself, and of whose qualities he was proud; happened to mar the sport which his master expected, who, irritated at the disappointment, and having his gun ready cocked in his hand, fired at the animal, which, however, in the hurry of his resentment, he missed. Albert, to whom Oscar was as a child, remonstrated against the rashness of the deed, in a manner rather too warm for his master, ruffled as he was with the accident, and conscious of being in the wrong, to bear. In his passion he struck his faithful attendant; who suffered the indignity in silence, and retiring, rather in grief than in anger, left his native country that very night; and when he reached the nearest town, enlisted with a recruiting party of a regiment then on foreign service. It was in the beginning of the war with France which broke out in 1744, rendered remarkable for the rebellion which the policy of the French court excited, in which some

of the first families of the Highlands were unfortunately engaged. Among those who joined the standard of Charles, was the master of Albert.

"After the battle of Culloden, so fatal to that party, this gentleman, along with others who had escaped the slaughter of the field, sheltered themselves from the rage of the unsparing soldiery, among the distant recesses of their country. To him his native mountains offered an asylum, and thither he naturally fled for protection. Acquainted, in the pursuits of the chase, with every secret path and unworn track, he lived for a considerable time, like the deer of his forest, close hid all day, and only venturing down at the fall of evening, to obtain from some of his cottagers, whose fidelity he could trust, a scanty and precarious support. I have often heard him, for he is one of my oldest acquaintances, describe the scene of his hiding-place; at a later period, when he could recollect it in its sublimity, without its horror." "At times," said he, "when I ventured to the edge of the wood, among some of those inaccessible crags which you remember a few miles from my house, I have heard in the pauses of the breeze which rolled solemn through the pines beneath me, the distant voices of the soldiers, shouting in answer to one another amidst their inhuman search. I have heard their shots re-echoed from cliff to cliff, and seen reflected from the deep still lake below, the gleam of those fires which consumed the cottages of my people. Sometimes shame and indignation well nigh overcame my fear, and I have prepared to rush down the steep, unarmed as I was, and to die at once

once by the swords of my enemies ; but the instinctive love of life prevailed, and starting as the foe bounded by me, I have again shrunk back to the shelter I had left."

"One day," continued he, "the noise was nearer than usual ; and at last, from the cave in which I lay, I heard the parties immediately below so close upon me, that I could distinguish the words they spoke. After some time of horrible suspense, the voices grew weaker and more distant ; and at last I heard them die away at the further end of the wood. I rose and stole to the mouth of the cave ; when suddenly a dog met me, and gave that short quick bark by which they indicate their prey. Amidst the terror of the circumstance, I was yet master enough of myself to discover that the dog was Oscar ; and I own to you I felt his appearance like the retribution of justice and of Heaven. Stand ! cried a threatening voice, and a soldier pressed through the thicket, with his bayonet charged.—It was Albert ! Shame, confusion, and remorse, stopped my utterance, and I stood motionless before him.—

"My master," said he, with the stifled voice of wonder and of fear, and threw himself at my feet. I had recovered my recollection. "You are revenged," said I, "and I am your prisoner."—"Revenged ! alas ! you judged too hardly of me ; I have not had one happy day since that fatal one on which I left my master ; but I have lived, I hope, to save him. The party to which I belong are passed ; for I lingered behind them among those woods and rocks which I remembered so well in happier days.—There is, however, no time to be lost. In a few hours this wood will blaze, though they do not suspect that it

shelters you. Take my dress, which may help your escape, and I will endeavour to dispose of yours. On the coast, to the westward, we have learned there is a small party of your friends, which, by following the river's track till dusk, and then striking over the shoulder of the hill, you may join without much danger of discovery."—"I felt the disgrace of owing so much to him I had injured, and remonstrated against exposing him to such imminent danger of its being known that he had favoured my escape, which from the temper of his commander, I knew would be instant death. Albert, in an agony of fear and distress, besought me to think only of my own safety.—"Save us both," said he, "for if you die, I cannot live. Perhaps we may meet again ; but whatever becomes of Albert, may the blessing of God be with his master !"

"Albert's prayer was heard. His master, by the exercise of talents which, though he had always possessed, adversity only taught him to use, acquired abroad a station of equal honour and emolument ; and when the proscriptions of party had ceased, returned home to his own native country, where he found Albert advanced to the rank of a lieutenant in the army, to which his valour and merit had raised him, married to a lady, by whom he had got some little fortune, and the father of an only daughter, for whom nature had done much, and to whose native endowments it was the chief study and delight of her parents to add every thing that art could bestow. The gratitude of the chief was only equalled by the happiness of his follower, whose honest pride was not long after gratified, by his daughter—

daughter's becoming the wife of that master whom his generous fidelity had saved. That master, by the clemency of more indulgent and liberal times, was again restored to the domain of his ancestors, and had the satisfaction of seeing the grandson of Albert enjoy the hereditary birthright of his race. I accompanied colonel Caustic on a visit to this gentleman's house, and was delighted to observe his grateful

attention to his father-in-law, as well as the unassuming happiness of the good old man, conscious of the perfect reward which his former fidelity had met with. Nor did it escape my notice, that the sweet boy and girl, who had been our guests at the colonel's, had a favourite brown and white spaniel, whom they caressed much after dinner, whose name was Oscar.

P O E T R Y.

O D E for the NEW YEAR, 1787.

By the Rev. T. W A R T O N, B. D. Poet-Laureat.

I.

IN rough magnificence array'd,
 When ancient chivalry display'd
 The pomp of her heroic games;
 And crested chiefs and tissued dames,
 Assembled, at the clarion's call,
 In some proud castle's high arch'd hall,
 To grace romantic glory's genial rites:
 Associate of the gorgeous festival,
 The minstrel struck his kindred string,
 And told of many a steel-gladd king,
 Who to the turkey train'd his hardy knights;
 Or bore the radiant red cross shield
 Mid the bold peers of Salem's field;
 Who travers'd pagan elimes to quell
 The wizard foe's terrific spell;
 In rude affrays untaught to fear
 The Saracen's gigantic spear—
 The listening champions felt the fabling rhyme
 With fairy trappings fraught, and shook their plumes fabling.

II.

Such were the themes of regal praise
 Dear to the bard of elder days;
 The songs, to savage virtue dear,
 That won of yore the public ear!
 Ere polity, sedate and sage,
 Had quench'd the fires of feudal rage,
 Had stemm'd the torrent of eternal strife,
 And charm'd to rest an unrelenting age.—
 No more, in formidable state,
 The castle shuts its thundering gate;
 New colours suit the scenes of soften'd life;
 No more, bestriding barbed steeds,
 Adventurous valour idly bleeds!
 And now the bard in alter'd tones,
 A theme of worthier triumph owns;
 By social imagery beguil'd,
 He moulds his harp to manners mild;

Nor longer weaves the wreath of war alone,
Nor hails the hostile forms that grac'd the Gothic throne.

III.

And now he tunes his plaufive lay
To kings, who plant the civic bay;
Who choose the patriot sovereign's part,
Diffusing commerce, peace, and art;
Who spread the virtuous pattern wide,
And triumph in a nation's pride;
Who seek coy science in her cloister'd nook,
Where Thames, yet rural, rolls an artless tide;
Who love to rule the vale divine,
Where revel nature and the Nine,
And clustering towers the tufted grove o'erlook;
To kings who rule a filial land,
Who claim a people's vows and prayers,
Should treason arm the weakest hand!
To these, his heart-felt praise he bears,
And with new rapture hastes to greet
This festal morn, that longs to meet,
With luckiest auspices, the laughing spring;
And opens her glad career, with blessings on her wing!

O D E from the Persian of HAFIZ. By E. NORT.

UNLESS my fair-ones cheek be near,
To tinge thee with superior red,
How vain, O rose, thy boasted bloom!
Unless, prime season of the year,
The grape's rich streams be round thee shed,
Alike how vain is thy perfume!
In shrubs which skirt the scented mead,
Or garden's walk embroider'd gay,
Can the sweet voice of joy be found—
Unless, to harmonize the shade,
The nightingales soft-warbled lay
Pour melting melody around?

Thou flow'ret trembling to the gale,
And thou, O cypress! waving slow
Thy green head in the summer air;
Say—what will all your charms avail,
If the dear maid, whose blushes glow
Like living tulips be not there?

The nymph who tempts with bonied lip,
With cheeks that shame the vernal rose,
In rapture we can ne'er behold;
Unless with kisses fond we sip
The luscious balm that lip bestows—
Unless our arms that nymphs enfold.

Sweet is the rose-empurpled bow'r,
 And sweet the juice distilling bright
 In rills of crimson from the vine;
 But are they sweet, or have they power,
 To bathe the senses in delight,
 Where beauty's presence does not shine?

Nay, let the magic hand of art
 The animated picture grace,
 With all the hues it can devise
 Yet this no pleasure will impart,
 Without the soul-enchanting face
 Tintur'd with nature's purer dyes:



But what's thy life, O Hafez, say?
 A coin that will no value bear,
 Altho' by thee 'tis priz'd in vain—
 Not worthy to be thrown away
 At the rich banquet of thy Fair,
 Where boundless love and pleasure reign.

HYMN to NARAYANA. By Sir WILLIAM JONES.

I.

SPIRIT of spirits, who, thro' every part
 Of space expanded, and of endless time;
 Beyond the stretch of lab'ring thought sublime,
 Bad'st uproar into beauteous order start,
 Before Heaven was, thou art:
 Ere spheres beneath us roll'd or spheres above,
 Ere earth in firmamental ether hung,
 Thou sat'st alone; till, through thy mystic love,
 Things unexisting to existence sprung,
 And grateful descant sung.
 What first impell'd thee to exert thy might?
 Goodness unlimited: What glorious light
 Thy power directed? wisdom without bound.
 What prov'd it first? Oh! guide my fancy right;
 Oh! raise from cumbrous ground
 My soul in rapture drown'd,
 That fearless it may soar on wings of fire;
 For thou, who only know'st, thou only canst inspire.

II.

Wrapt in eternal solitary shade,
 Th' impenetrable gloom of light intense,
 Impervious, inaccessible, immense,
 Ere spirits were insul'd or forms display'd,
 Brehm his own mind survey'd.

* Alluding to the oriental custom of throwing handfuls of coin to the populace at public entertainments, and on other occasions of festivity.

As mortal eyes (thus finite we compare
 With infinite) in smoothest mirrors gaze:
 Swift as his look, a shape supremely fair
 Leap'd into being, with a boundless blaze,
 That fifty sun's might daze.

Primeval Maya was the goddess nam'd,
 Who to her fire, with love divine inflam'd,
 A casket gave with rich ideas fill'd,
 From which this gorgeous universe he fram'd :
 For when th' Almighty will'd
 Unnumber'd worlds to build,
 From unity diversified he sprang,
 While gay creation laugh'd, and procreant nature rang.

III.

First an all-potent, all-pervading sound,
 Bade flow the waters—and the waters flow'd,
 Exulting in their measureless abode,
 Diffusive, multitudinous, profound,

Above, beneath, around;
 Then o'er the vast expanse primordial winds
 Breath'd gently, till a lucid bubble rose,
 Which grew in perfect shape an egg refin'd :
 Created substance no such lustre shows,

Earth no such beauty knows.
 Above the warring waves it danc'd elate,
 Till from its bursting shell, with lovely state,
 A form cerulean flutter'd o'er the deep,
 Brightest of beings, greatest of the great ;
 Who not as mortals sleep
 Their eyes in dewy sleep,
 But heavenly pensive on the lotos lay,
 That blossom'd at his touch, and shed a golden ray.

IV.

Hail, primal blossom! hail, empyreal gem!
 Kernel or Pedma, or whate'er high name
 Delights thee, say, what four-form'd Godhead came,
 With graceful stole and beamy diadem,
 Forth from thy verdant stem?

Full-gifted Brehma! wrapt in solemn thought
 He stood, and round his eyes fire-darting threw:
 But, whilst his viewless origin he sought,
 One plain he saw of living waters blue,

Their spring nor saw nor knew ;
 Then in his parent-stalk again retir'd,
 With restless pain for ages he enquir'd,
 What were his powers, by whom, and why conferr'd ;
 With doubts perplex'd, with keen impatience fir'd,

He rose, and rising heard
 Th' unknown all-knowing word:
 "Brehma! no more in vain research persist,
 "My veil thou canst not move—Go; bid all worlds exist."

V.

Hail, self-existent, in celestial speech
 Narayen, from thy watery cradle, nam'd;
 Or Venamaly may I sing unblam'd,
 With flowery braids, that to thy sandals reach,
 Whose beauties who can teach?
 Or high Pictamber, clad in yellow robes,
 Than sun-beams brighter in meridian glow,
 That weave their heaven-spun light o'er circling globes;
 Unwearied, lotos-eyed, with dreadful bow,
 Dire evil's constant foe!
 Great Redmanabha, o'er thy cherish'd world
 The pointed Chæra, by thy fingers whirl'd,
 Fierce Hytabh shall destroy, and Medhugrim,
 To black despair and deep destruction hurld.
 Such views my senses dim,
 My eyes in darkness swim:
 What eye can bear thy blaze, what utterance tell
 Thy deeds with silver trump or many-wreathed shell,

VI.

Omniscient spirit, whose all-ruling power
 Bids from each sense bright emanations beam:
 Glows in the rainbow, sparkles in the stream,
 Smiles in the bud, and glistens in the flower
 That crowns each vernal bower;
 Sighs in the gale, and warbles in the throat
 Of every bird that hails the bloomy spring,
 Or tells his love in many a liquid note,
 Whilst envious artists touch the rival string,
 Till rock and forests ring;
 Breathes in rich fragrance from the sandal grove,
 Or where the precious musk-deer playful rove;
 In dulcet juice from clustering fruit distils,
 And burns salubrious in the tasteful clove;
 Soft banks and verdurous hills
 The present influence fill;
 In air, in floods, in caverns, woods, and plains,
 Thy will inspirits all, thy sovereign Maya reigns,

VII.

Blue crystal vault and elemental fires,
 That in th' æthereal fluid blaze and breathe;
 Thou tossing main, whose snaky branches wreath
 This pensile orb with intertwisting gyres;

Mountains,

Mountains, whose radiant spires
 Presumptuous rear their summits to the skies,
 And blend their emerald hue with sapphire light;
 Smooth meads and lawns, that glow with varying dyes
 Of dew-bespangled leaves and blossoms bright,
 Hence! vanish from my sight,
 Delusive pictures! unsubstantial shows!
 My soul absorb'd one only being knows,
 Of all perceptions one abundant source,
 Whence every object, every moment flows,
 Suns hence derive their force,
 Hence planets learn their course;
 But suns and fading worlds I view no more,
 God only I perceive, God only I adore.

POEM addressed to SENSIBILITY.

[From the Second Book of Poems by Ann Yearsley.]

O H! Sensibility! Thou busy nurse
 Of Inj'ries once receiv'd, why wilt thou feed
 Those serpents in the soul? their stings more fell
 Than those which writh'd round Priam's priestly son;
 I feel them here! They rend my panting breast,
 But I will tear them thence: ah! effort vain!
 Disturb'd they grow rapacious, while their fangs
 Strike at poor Memory; wounded she deplores
 Her ravish'd joys, and murmurs o'er the past.
 Why shrinks my soul within these prison walls,
 Where wretches shake their chains? Ill-fated youth,
 Why does thine eye run wildly o'er my form,
 Pointed with fond enquiry? 'Tis not me,
 Thy restless thought would find; the silent tear
 Steals gently down his cheek; ah! could my arms
 Afford thee refuge, I would bear thee hence
 To a more peaceful dwelling. Vain the wish!
 Thy pow'rs are all unhing'd, and thou wouldst fit
 Insensible to sympathy: farewell.
 Lamented being! ever lost to hope.
 I leave thee, yea despair myself of cure.
 For, oh, my bosom bleeds, while griefs like thine
 Increase the recent pang. Pensive I rove,
 More wounded than the hart, whose side yet holds
 The deadly arrow; Friendship, boast no more
 Thy hoard of joys, o'er which my soul oft hung;
 Like the too anxious miser o'er his gold.
 My treasures all are wreck'd; I quit the scene
 Where haughty insult cut the sacred ties
 Which long had held us: cruel Julius! take

My last adieu. The wound thou gav'st is death,
 Nor can'st e'en thou recall my frightened sense
 With friendship's pleasing sound; yet will I clasp
 Thy valued image to my aching mind,
 And viewing that, forgive thee; will deplore
 The blow that sever'd two congenial souls!

Official Sensibility! 'tis thine
 To give the finest anguish, to dissolve
 The drops of spirit, till all essence, she
 Refines on real woe; from thence extracts
 Sad unexisting phantoms, never seen.

Yet, dear ideal mourner, be thou near
 When on Lyfander's tears I silent gaze;
 Then, with thy viewless pencil, form his sigh,
 His deepest groan, his sorrow-tinged thought,
 With immature, impatience, cold despair,
 With all the tort'ring images that play,
 In sable hue, within his wasted mind.

And when this dreary group shall meet my thought,
 Oh! throw my pow'rs upon a fertile space,
 Where mingles ev'ry varied soft relief.

Without thee, I could offer but the dregs
 Of vulgar consolation; from her cup
 He turns the eye, nor dare it soil his lip!
 Raise thou my friendly hand; mix thou the draught
 More pure than ether, as ambrosia clear,
 Fit only for the soul; thy chalice fill
 With drops of sympathy, which swiftly fall
 From my afflicted heart: yet—yet beware,
 Nor stoop to seize from passion's warmer clime
 A pois'nous sweet.—Bright cherub, safely rove
 Thro' all the deep recesses of the soul!

Float on her raptures, deeper tinge her woes,
 Strengthen emotion, higher waft her sigh,
 Sit in the tearful orb, and ardent gaze

On joy or sorrow. But thy empire ends

Within the line of Spirit. My rough soul,

O Sensibility! defenceless hails,

Thy feelings most acute. Yet, ye who boast

Of bliss I ne'er must reach, ye, who can fix

A rule for sentiment, if rules there are,

(For much I doubt, my friends, if rule e'er held

Capacious sentiment) ye sure can point

My mind to joys that never touch'd the heart.

What is this joy? Where does its essence rest?

Ah! self-confounding sophists, will ye dare

Pronounce that joy which never touch'd the heart?

Does education give the transport keen,

Or swell your vaunted grief? No, nature feels

Most poignant, undefended; hails with me

The pow'rs of Sensibility untaught.

TO INDIFFERENCE.

[From the same Work.]

INDIFF'RENCE come! thy torpid juices shed
 On my keen sense: plunge deep my wounded heart,
 In thickest apathy, till it congeal,
 Or mix with thee incorp'rate, Come, thou foe
 To sharp sensation, in thy cold embrace
 A death-like slumber shall a respite give
 To my long restless soul, tost on extreme,
 From bliss to pointed woe. Oh, gentle Pow'r,
 Dear substitute of Patience! thou canst ease
 The soldier's toil, the gloomy captive's chain,
 The lover's anguish, and the miser's fear.

Proud Beauty will not own thee! her loud boast
 Is Virtue—while thy chilling breath alone
 Blows o'er her soul, bidding her passions sleep.

Mistaken cause, the frozen fair denies
 Thy saving influence. Virtue never lives,
 But in the bosom, struggling with its wound:
 There she supports the conflict, there augments
 The pang of hopeless love, the senseless stab
 Of gaudy ign'rance, and more deeply drives
 The poison'd dart, hurl'd by the long lov'd friend;
 Then pants with painful victory. Bear me hence,
 Thou antidote to pain! thy real worth
 Mortals can never know. What's the vain boast
 Of Sensibility but to be wretched?

In her best transports lives a latent sting,
 Which wounds as they expire. On her high heights
 Our souls can never sit; the point so nice,
 We quick fly off—secure, but in descent.

To Sensibility, what is not bliss
 Is woe. No placid medium's ever held
 Beneath her torrid line, when straining high
 The fibres of the soul. Of pain, or joy,
 She gives too large a share; but thou, more kind,
 Wrapp'st up the heart from both, and bidd'st it rest
 In ever-wish'd-for ease. By all the pow'rs
 Which move within the mind for diff'rent ends,
 I'd rather lose myself with thee, and share
 Thine happy indolence, for one short hour,
 Than live of Sensibility the fool
 For endless ages. Oh! her points have pierc'd
 My soul, till, like a sponge, it drinks up woe.
 Then leave me, Sensibility! be gone,
 Thou chequer'd angel! Seek the soul refin'd:
 I hate thee! and thy long progressive brood,
 Of joys and mis'ries. Soft Indiff'rence, come!

In this low cottage thou shalt be my guest,
 Till death shuts out the hour: here down I'll sink
 With thee upon my couch of homely rush,
 Which fading forms of friendship, love, or hope,
 Must ne'er approach. Ah! quickly hide, thou pow'r,
 Those dear intruding images! Oh, seal
 The lids of mental sight, lest I abjure
 My freezing supplication.—All is still.

Idea, smother'd leaves my mind a waste,
 Where Sensibility must lose her prey.

The STORY of FOSCARI.

[From the Second Book of POLWHELE'S English Orator.]

—TURN thine eyes
 Where light the gaudy gondolas glance o'er
 The subject gulf of Adria—Mercy there
 Sheds agonizing tears, as terror points
 To young ingenious Foscari; whose sad fate
 Told in Venetian story, hath aspers'd
 Its page.—Donato, a Venetian lord,
 Near his piazz'd dome, at twilight eve,
 Fell by a hand unknown; when, sudden, past
 A slave of noble Foscari—who, ere morn,
 Had fled from Venice. Hence the senate deem'd
 The eloping menial but an instrument
 Of Foscari's fancied villainy. O lost—
 Too early lost to all thy country's hopes,
 Much injur'd youth! What tho' thy purer fame,
 Thy undisguis'd demeanor, and thy looks
 Of open candor, mingled every charm
 Which might have seal'd the eye, that never felt
 The closing lid—Suspicion's restless orb—
 The guilty stain!—No sigh from Virtue's soul
 Avail'd to soothe the senatorial voice,
 That bade thee fly Venetia's rage, and hide
 'Mid Candia's cliffs, an exile—Candia, once
 The glorious seat of legislative fame,
 The nurse of ancient Minos—the retreat
 Of heaven's bright race; where each ambrosial vale
 Embower'd a god! Ah sunk amid the isles,
 A den for slavery, whilst Oblivion's breath
 Spreads o'er its hundred cities, as the dews
 Of its own Lethe!—Yet its groves, still rich
 With fruits and foliage, wave—its yellow fields,
 With various grain; and its purpled hills
 Still swelling with the clustering grape, announce
 The promis'd vintage!—but in vain they wave,

In vain they blush, to the poor exile's eye
 Which wildly wanders o'er the restless surge;
 And straining from the lone beach to the mists
 That dim the horizon, asks if some white sail
 Might, haply, gain upon the fight—some bark
 Streaming the well-known pendant. Many a year
 Heavily linger'd, while "thro' hope deferr'd
 Sicken'd his heart"—tho'; oft, her golden light
 Gleam'd, fleetingly—when, near, Venetian sails
 Seem'd o'er his freshen'd spirit, as they came,
 To waft the sweetness of his native air!
 Alas! his friends, tho' pitying, still declin'd
 The mediatorial task. To Milan's duke
 (Now his last hopeless refuge) he entrusts
 His prayers for friendly rescue—with a slave,
 Who, faithless, to Venetia's lords betrays
 The tale of woe. Incens'd the nobles hear—
 And (as their law condemns the wretch who flies
 To foreign potentates) remand him home
 Doom'd to severer anguish. His wan limbs
 Now stretch'd along the wheel of torture, hangs
 Upon his bloodless lips the faltering voice:
 ' May heaven forgive my persecuting foes—
 ' My heart forgives them! yet, a moment, hear—
 ' Yet, but a moment, pity! while I tell
 ' That him who bore my message I believ'd
 ' In treachery not unpractic'd; nor misdeem'd
 ' He would betray the trust! thus, o'er the seas
 ' Hurried to meet my judges, I yet hop'd
 ' Once more to visit the delightful spot
 ' That gave me birth—to share, thro' racking pain—
 ' Tho' death repay'd, a friend's last lingering looks;
 ' And bathe my bosom in parental tears,
 ' And die in peace!—He spoke, and look'd around
 In vain, for Mercy, thro' the prison-gloom—
 She beam'd not, there. Instead of Mercy's voice,
 The sentence echoed; ' That, to Candia's isle
 ' Returning, he should lie, for one long year,
 ' Chain'd to the desolated dungeon; thence,
 ' (The term expir'd) to wander o'er its rocks
 ' Thro' life an out-cast.' Yet, one little space
 The despot's pity granted, for the throbs
 Of filial duty from its fondest joys
 For ever torn. His age-bent parents came—
 The venerable father—on whose brow
 Hoar Time had scatter'd many a silver hair
 Distinctly trac'd, and who full thirty years
 Had worn the purple—the pale mother, wild
 Thro' grief—' My son (exclaim'd the sire) 'tis thine
 ' To bear thy fate with firmness!' ' 'Tis a fate,

(An-

• (Answer'd the sinking Foscari) which I dread
 • Beyond the extremest agonies that rend
 • The struggling frame! O by this bursting heart
 • Which ever own'd affection's purest glow,
 • Warm for a parent's welfare—by the tears
 • Of innocence, that ask a father's love
 • To give it yet unsullied to the world—
 • O, by the mercies of a Saviour, shield
 • Thy son—nor let each solitary groan
 • Beat—the slow knell of his departing soul!
 • Alas! my Foscari! my power were vain—
 • Submit thee to thy country's laws—the dogs
 Replies; and hurrying from his son's embrace,
 Shiver'd thro' misery's keener pangs too sharp
 To suffer, 'till the chillness that benumbs
 The fainting, ic'd his aged bosom o'er
 Yet left life's feeble spirit!—but to paint
 The mother's form—O ye, whose hearts have felt
 The fond maternal yearnings—ye, whose eye
 Hath caught the last fir'd glances of your child
 Just sinking into death's cold dews—'tis yours—
 Severe preeminence! to paint that form.
 At length, the dire disastrous story ran
 Thro' Venice: and the accumulated woe
 Touch'd the relenting senate; while Remorse
 That strove to borrow the benignant air
 Of Mercy, the poor exile's pardon seal'd.
 Strait flew the mandate of recall: (for long
 In Candia's pris'n immur'd, the youth had mourn'd
 His country lost—) But ah! too late the ray
 Of Mercy glimmer'd. Lo the hapless youth,
 Amidst his dismal durance as he breath'd
 The solitary groan, on the drear wall
 Had etch'd his tale of misery and expir'd.

M O N A. An ODE. By the same Author,
 [An Original Communication.]

“SHROUD—in the billowy mist's deep-bosom shroud
 “My ravish'd isle!”—the voice was vain!
 Mona! mark yon' kindling cloud
 That seems to fire the main:
 As flashing to the incumbent skies,
 Broad the hostile flames arise
 From the reverential wood;
 Red its central gloom with blood!
 Many a white-rob'd Druid hoar
 Totters in the stream of gore;
 Meets the falchion's furious blow;
 Sinking, execrates the foe!

Or, across the Cromlech's stone,
 Struggling, gives to Death a groan !
 Or, within the circling fane,
 Pours his dark mysterious strain ;
 Or grasps his shrine, and hails the stroke,
 Stabb'd beneath his holy oak !
 Yelling while the maniac maid
 Hurries down the dimwood glade ;
 And uproots her bristling hair,
 Paler amid the ghastly glare !

II.

But lo ! the scenes of other days are fled !
 Yet mysterious horror fills
 The long scoop'd dales where Druids bled,
 And deepens the dark hills !
 Through the tree-tufted rock, that wide
 Opens, as rent, its chafmy side,
 Ivi'd ruins gleaming-grey,
 Mar the torrents foamy way !
 There the enthusiast loves to dwell,
 Lost in the romantic dell ;
 Tracing temples, abbey-walls
 Shiver'd arches, castle-halls :
 Whether the sun dart his light
 'Mid the branches mossy-white ;
 Or the star of eve, assailant,
 Glimmer on the spectre-haunt
 Oft as the moon light echoes round
 Add their store of mellow sound
 To the crash of tumbling heaps
 That o'erbrow'd the craggy steeps
 To each murmur of the cave,
 Fretted by many a restless wave !

The BLUSH of SIMPLICITY.

[By the same.]

WHILE Charlotte conscious that she loves,
 Would hide the crimson's transient hue,
 She veils the blush, which only proves
 A heart to love and Corin true,
 In erring maids that fondly stray
 A tinge as bright as thine we see ;
 Yet clouded looks its source betray
 Unknown to innocence and thee.

No cloud thine eyes of candour know
 To shade their sweet expression o'er ;
 But to the soft suffusing glow
 They kindle quick, and sparkle more,
 Ah! may such glances ever speak
 The *simple blush* on Charlotte's cheek!

ODE on His MAJESTY'S BIRTHDAY.

Written by MR. WARTON.

THE noblest bards of Albion's choir
 Have struck of old this festal lyre.
 Ere science struggling oft in vain,
 Had dar'd to break her Gothic chain,
 Victorious Edward gave the vernal bough
 Of Britain's bay, to bloom on Chaucer's brow:
 Fir'd with the gift, he chang'd to sounds sublime
 His Norman minstrelsy's discordant chime;
 In tones majestic hence he told
 The banquet of Cambuscan bold;
 And oft he sung (Howe'er the rhyme
 Has moulder'd to the touch of time)
 His martial master's knightly board,
 And Arthur's ancient rites restor'd;
 The prince in sable steel that sternly frown'd,
 And Gallia's captive king, and Cressy's wreath renown'd.

II.

Won from the shepherd's simple meed,
 The whispers wild of Mulla's reed,
 Sage Spenser wak'd his lofty lay
 To grace Eliza's golden sway:
 O'er the proud theme new lustre to diffuse,
 He chose the gorgeous allegoric muse,
 And call'd to life old Uther's elfin tale,
 And rov'd thro' many a necromantic vale,
 Pourtraying chiefs that knew to tame
 The goblin's ire, the dragon's flame,
 To pierce the dark enchanted hall,
 Where virtue sat in lonely thrall.
 From fabling Fancy's inmost store
 A rich romantic robe he bore;
 A veil with visionary trappings hung,
 And o'er his virgin-queen the fairy texture hung.

III.

At length the matchless Dryden came,
 To light the muse's clearer flame;
 To lofty numbers grace to lend,
 And strength with melody to blend;

To triumph in the bold career of song,
 And roll th' unwearied energy along.
 Does the mean incense of promiscuous praise,
 Does servile fear disgrace his regal bays?
 I spurn his panegyric strings,
 His partial homage, tun'd to kings!
 Be mine, to catch his manlier chord,
 That paints th' impassion'd Persian lord,
 By glory fir'd, to pity su'd,
 Rous'd to revenge, by love subdu'd;
 And still, with transport new, the strains to trace
 That chaunt the Theban pair, and Tancred's deadly vase.

IV.

Had these blest bards been call'd, to pay
 The vows of this auspicious day,
 Each had confess'd, a fairer throne,
 A mightier sovereign than his own!
 Chaucer had bade his hero-monarch yield
 The fame of Agincourt's triumphal field
 To peaceful prowess, and the conquest's calm,
 That braid the scepter with the patriot's palm;
 His chaplets of fantastic bloom,
 His colourings warm from Fiction's loom,
 Spenser had cast in scorn away,
 And deck'd with truth alone the lay;
 All real here—the bard had seen
 The glories of his pictur'd queen!
 The tuneful Dryden had not flatter'd here,
 His lyre had blameless been, his tribute all sincere!

O D E to a L A D Y going A B R O A D.

[From the Third Volume of the *Lounger*.]

I.

FAR, from me my Delia goes,
 And all my pray'r's, my tears are vain;
 Nor shall I know one hour's repose,
 Till Delia bless these eyes again.

Companion of the wretched, come,
 Fair hope! and dwell with me a while;
 Thy heavenly presence gilds the gloom,
 While happier scenes in prospect smile.

Oh! who can tell what time may do?
 How all my sorrows yet may end?
 Can she reject a love so true?
 Can Delia e'er forsake her friend

Unkind and rude the thorn is seen,
 No sign of future sweetness shows ;
 But time calls forth its lovely green,
 And spreads the blushes of the rose.

Then come, fair hope, and whisper peace,
 And keep the happy scenes in view,
 When all these cares and fears shall cease,
 And Delia blest a love so true.

II.

Hope, sweet deceiver, still believ'd,
 In mercy sent to soothe our care :
 Oh ! tell me am I now deceiv'd,
 And wilt thou leave me to despair ?

Then hear, ye powers, my earnest pray'r,
 This pang unutterable save :
 Let me not live to know despair,
 But give me quiet in the grave :

Why should I live to hate the light,
 Be with myself at constant strife,
 And drag about in nature's spite,
 An useless, joyless load of life ?

But far from her all ill remove,
 Your favourite care let Delia be,
 Long blest in friendship, blest in love,
 And may she never think on me.

III.

But if, to prove my love sincere,
 The fate a while this trial doom ;
 Then aid me, hope, my woes to bear,
 Nor leave me till my Delia come ;

Till Delia come no more to part,
 And all these cares and fears remove,
 Oh, come ! relieve this widow'd heart,
 Oh, quickly come ! my pride, my love !

My Delia come ! whose looks beguile,
 Whose smile can charm my cares away :
 Oh ! come with that enchanting smile,
 And brighten up life's wintry day ;

Oh, come ! and make me full amends,
 For all my cares, my fears, my pain ;
 Delia, restore me to my friends,
 Restore me to myself again.

BALLAD, in the STILE of Mr. CROW's SONG, "SEATON CLIFFS." By Miss SEWARD.

FROM thy waves, stormy Lannow, I fly,
 From the rocks, that are lash'd by their tide ;
 From the maid, whose cold bosom, relentless as they,
 Has wreck'd my warm hopes by her pride !
 Yet lonely and rude as the scene,
 Her smile to that scene could impart
 A charm that might rival the bloom of the vale ;—
 But away, thou fond dream of my heart !

To thy rocks, stormy Lannow, adieu !
 Now the blasts of the winter come on,
 And the waters grow dark as they rise ;
 But 'tis well !—they resemble the sullen disdain
 That has lour'd in those insolent eyes.
 Sincere were the sighs it repress'd,
 But they rose in the days that are flown !—
 Ah, Nymph ! unrelenting and cold as thou art,
 My spirit is proud as thy own.

To thy rocks, stormy Lannow, adieu !
 Lo ! the wings of the sea-fowl are spread,
 To escape the rough storm by their flight !
 And these caves will afford them a gloomy retreat
 From the winds and the billows of night.
 Like them, to the home of my youth,
 Like them, to the shades I retire ;—
 Receive me, and shield my vex'd spirit, ye groves,
 From the storms of insulted desire !

From thy waves, rocky Lannow, I fly !

THE COURT BELLE.

[From SWIFT's Temple of Folly.]

A Gilded chariot, that eclips'd the day,
 O'er the proud pavement urg'd its rattling way.
 Of silk the reins, for which the murex bled,
 And stain'd the harness with Sidonian red.
 The whirling wheels, on burnish'd axles roll'd ;
 The spokes were silver, and the naves were gold.
 Six Ariels, rang'd behind, attendant wait,
 The slaves of beauty, as she moves in state.
 Her milk-white steeds the brilliant wonder drew,
 With conscious pride th' elated couriers flew :
 The birth-day carriage of a well-bred belle :—
 Comet more flaming, ne'er alarm'd Pal-mel.
 The regent of the blazing star descends,
 And to the throne with courtly homage bends :

Delusion, with a smile, the nymph survey'd,
Th' accomplish'd nymph, and thus, approving, said.

“ By education well-bred nymphs are known,
Who study Gallio grace, and lisp bon-ton.
What proud accomplishments adorn the fair!
Friseur the head improves, the feet Noverre:
With solos Signor toothes the tender breast,
A quaver, or a crochet, does the rest.
As France the tinsel of her tongue supplies,
The loose entendre in a whisper flies;
Unfailing confidence imbues the whole,
And fixes theameleon of the soul.
For her the coxcomb billet-doux prepares,
And Smith's own odours breathe immortal airs;
Warren's kind art the chymic rose supplies,
And see this hand, for which the chicken dies!
Fashion is her's, and dress her punctual care,
The naked neck, the beau bewitching air,
The face that's knowing, and the face that's known,
The tofs of breeding, and the laws of ton,
The plumes of pride, that high in triumph tower,
The rage of conquest, and the lust of power.
Now, her ambitious spirit mounts the moon,
Thron'd with Lunardi in his proud balloon.
'Tis thus accomplish'd beauty soars to fame,
And Folly's daughters thus distinction claim.”
“ O cried the Goddess, in exulting strain,
Behold the promis'd triumphs of our reign:
See awful Beauty totter on her throne,
And Levity prelude, where Wisdom shone!
See Virtue tremble, Decency expire,
The blushing Graces silently retire;
See Britain's Genius mourn her greatness past,
When all her sons were brave, and all her daughters chaste.”

Dr. CORBET to his SON VINCENT CORBET.

[From HEADLEY's Select Beauties of Ancient English Poetry.]

WHAT I shall leave thee none can tell,
But all shall say I wish thee well.
I wish thee (Vin.) before all wealth,
Both bodily and ghostly health;
Nor too much wealth nor wit come to thee,
So much of either may undo thee,
I wish thee learning, not for show,
Enough for to instruct, and know.

Not

Not such as gentlemen require
 To prate at table or at fire,
 I wish thee all thy mother's graces,
 Thy father's fortunes and his places.
 I wish thee friends and one at court,
 Not to build on, but support ;
 To keep thee not from doing many
 Oppressions, but from suffering any.
 I wish thee peace in all thy ways,
 Nor lazy nor contentious days,
 And when thy soul and body part,
 As innocent as now thou art.

ELEGY ON THE BURYING-PLACE

called CAMPO SANTO, * near FLORENCE.

[From a Poetical Tour in the Years 1784, 1785; and 1786.]

IN that blest isle, by heaven's high favor born,
 Whose cliffs the subject billows vainly beat,
 From the main land by strong convulsions torn,
 To form for freedom a belov'd retreat;

Oft as thro' other climes I musing stray,
 The dews of pity fill my melting eyes,
 For those, who, trampled by despotic sway,
 Restrain their murmurs, and subdue their sighs.

Beneath the yoke how sad Florentia bends !
 Her sons escape not with the loss of breath,
 E'en then fell Tyranny his rod extends
 That waves new horrors o'er the realms of death.

Lo! where amid the dreary Appennines,
 Whose barren tops the meeting skies assail,
 Where scatter'd olives, and unfruitful vines,
 Bow their weak heads beneath the sighing gale;

* After the usual rite being performed in the churches, the bodies remain in a house near the gate of the city till midnight, when they are carried on mules, in boxes made for that purpose, to this place of interment, where they are deposited three in a grave, without coffins or any further ceremony. There is no distinction of persons, nor are the nobility allowed private vaults, or even the privilege of being buried at their country houses: their discontent may be conceived, but all remonstrances are in vain; and whatever may be the pretence of its expediency to prevent distempers, many people will be apt to impute this tyrannical proceeding to the leveling principles of the Austrian family. A number of beautiful villas near the road are deserted on account of the horror it occasions.

When night's dark wings the mournful scene unfold,
 On mules, unconscious of their silent load,
 Of the pale dead the huddled relics cold
 Are borne unseemly o'er the lonely road.

No long procession pours the pious song,
 No sable hearse displays its nodding plume,
 No kind domestics move in grief along,
 And with funereal torches gild the gloom.

Perhaps some victim from the seats of day
 Too soon is hurried by precautions dire,
 Perhaps too late shall wake the sleeping clay,
 And struggling with oppressive mould expire.

The startled trav'ler views with honest rage
 The face where late superior beauty smil'd,
 The wasted form of once revered age,
 By some rude hireling's ruffian hands defil'd.

In earth's dread bosom undistinguish'd thrown,
 No closing rites in decent state are paid;
 No weeping friends their lost companion own,
 When dust to dust is finally convey'd.

Shall the meek virgin's pure untasted charms,
 The manly breast that felt another's grief,
 Meet the worn prostitute's lascivious arms,
 Or niggard hands which never gave relief?

Shall the rapt bard, who pour'd th' immortal lay,
 With vice and dulness in one grave unite?
 Oh 'twere enough to warm th' indig'nant clay,
 And stop th' ascending spirit in its flight!

Thither in vain, impell'd by wild despair,
 The wretched widow, and the orphan fly;
 Alas! no monumental stone is there,
 To mark the spot where their protectors lie.

No holy text, no warning sentence, feeds
 The thoughtful moralist with wholesome truth,
 No sculptur'd trophies of heroic deeds
 Allure to Glory's path admiring youth.

Degenerate age! when on the banks of Nile,
 Early matur'd, fair science rear'd her head,
 On the cold corse was spent her patient toil,
 And Araby's rich gums embalm'd the dead.

When the proud sceptre, and high-sounding lyre,
 Bade Roman breasts with vast ambition burn,
 The valued ashes, purified by fire,
 Drew frequent tears upon the storied urn.

Ev'n the rude natives of the late-found isles,
 Where some lost friends attract their frantic way,
 With fond attachment view the rustic piles,
 Sooth'd by the honours of the known morai.

Shall then th' unfeeling Austrian's stern commands
 To quell these sacred sentiments presume,
 While with the name of prejudice he brands
 The charities that glow beyond the tomb?

Thus might rebellious sons be taught to fly
 The long obedience which they owe their fires,
 Thus be dissolv'd chaste wedlock's dearer tie,
 And all that habit adds to nature's fires.

But sooner far must cease that slavish awe
 The humbled vassal to his tyrant pays,
 Crumble that edifice which pow'r and law
 On weak convention's base so proudly raise.

Then tremble thou, lest soon th' impatient throng
 Tear the vain crown from thy too impious head;
 Ne'er can the living be respected long,
 Who teach their subjects to despise the dead.

DOMESTIC LITERATURE

Of the Year 1787.

IN enumerating the theological publications of the year 1787, we shall give the first place to those which are devoted to the improvement and extension of Biblical literature.

In this class, the "Remarks on select Passages in the Old Testament; to which are added, Eight Sermons, by the late Benjamin Kennicott, D. D." will be respectfully received by the learned world, as the last expiring efforts of that truly great man in the service of Divine Revelation. This work was undertaken by him, soon after he had completed his grand object, the collation of the Hebrew MSS. and continued with his usual attention and care, while his faculties were capable of exertion. It is to be lamented, however, that at the time of his death, only a small part of his useful design had been perfected by him. To this part the editors have added, according to the author's instructions in his will, whatever they found among his papers evidently designed for this work; and such of his hints and imperfect sketches as may be useful to future commentators. These remarks begin with the book of Genesis, and are continued to the Psalms. They are accompanied likewise, with observations on different passages of the prophet Hosea; and some short, unfinished notes. The observations on the

book of Job will be found particularly valuable to the Biblical scholar. Of the Sermons which are added, some afford displays of Dr. Kennicott's critical powers; and the rest are on practical and useful subjects. With the friends of divine truth, these valuable remains of the most distinguished Hebrew scholar and industrious scripture critic whom the present times have produced, will be secure of a proper and liberal reception. They will not expect to find them recommended by elegancies of language, or the displays of a brilliant fancy; but by the same marks of learning, and successful endeavours to restore the purity of the sacred pages, which have distinguished the former works of this author. And in this expectation they will not be disappointed.

Dr. Henry Owen, to whose abilities for Scripture criticism we have on a former occasion paid our tribute of respect, hath published "A brief Account, Historical and Critical, of the Septuagint Version of the Old Testament, To which is added, a Dissertation of the comparative Excellency of the Hebrew and Samaritan Pentateuch." This treatise is divided into seven sections. The first is employed in enquiries respecting the time when and the persons by whom the Septuagint Version was made. The object of the second section is, to shew, that the version

version was made from Samaritan, and not from Hebrew copies. The third section treats of the manner in which this version was made, and the methods which the translators probably followed in elucidating the original, from their acquaintance with other eastern languages. In the fourth section the accuracy and fidelity of this version is insisted on; and in the fifth and sixth we have a history of the general estimation in which it was held for a long period of years; of the translations which have been made from it; and of the causes of the alterations which, at different times, have been made in it by the rulers of the synagogues. The last section is on a subject which had before employed the pen of our author, the celebrated Hexapla of Origen, and on the injuries which our author conceives to be done by it to this version. The established character which Dr. Owen hath already acquired in the field of sacred literature, renders it unnecessary for us to say, that his learned readers may promise themselves much pleasure and information from his valuable little work. His observations are equally acute, sensible, and important; and will add considerably to his well earned fame in the service of Revelation.

"The Sixth and Eleven following Chapters of Genesis, translated from the original Hebrew; with marginal Illustrations and Notes, by Abraham Dawson, M. A. &c." is a publication which suggests many just and proper variations from the language of our common version, and which the author hath supported with no small share of critical skill. Those particularly, which are introduced into the accounts of Melchizedek's meeting with Abraham, Noah's prophecy respecting Canaan, and the dispersion of man-

kind, together with the notes and illustrations by which they are confirmed, give a favourable testimony to the author's attention, and liberal way of thinking; and are adapted to free the sacred records from some of the wild conjectures and extravagant absurdities by which commentators have obscured their simplicity. In many other parts, where Mr. Dawson hath not enlarged so much as might be wished, he hath, nevertheless, offered such hints and general observations as will be acceptable and useful to the student in sacred philology.

Mr. Harmer's "Observations on divers passages of Scripture, &c." in two volumes, are a continuation of an entertaining and useful work, which he began to publish in 1765, and which he republished, with additions, in two volumes, in 1777. The object of our author is to illustrate different parts of Scripture "more amply than has been yet done, by means of Circumstances incidentally mentioned in Books of Voyages and Travels into the East." The observations in the present volumes relate to the weather of Judæa; the manner of living in tents in that country; the houses and cities of its inhabitants; their manner of travelling; the eastern manner of doing homage; their books; and the natural, civil, and military state of Judæa. To these he has added remarks on Egypt; its adjoining wildernis; the Red Sea; together with several miscellaneous matters; and prefixed to the whole; a specimen of illustrating the Greek and Roman classics from the same sources. Notwithstanding that we think our author sometimes needlessly employed, in establishing immaterial facts, and discussing unimportant objections, we cannot but speak in high terms of his ingenious

and commendable labours. They convince us that he hath examined all the sources of information within his reach, with great care and diligence; and that he hath been equally attentive to the arrangement of his materials. To all descriptions of readers we can venture to promise much pleasure as well as instruction from the perusal of these volumes.

“An Attempt to illustrate various important passages in the Epistles, &c. of the New Testament, from our Lord’s Prophecies of the Destruction of Jerusalem, and from some Prophecies of the Old Testament, by N. Nisbet, M. A.,” though a small, is an acceptable addition to our valuable commentaries and illustrations of Scripture. His intention is to prove, that the expressions in different parts of the New Testament, which have been supposed to relate to the day of judgment, such as, the Lord is at hand, and the day is approaching, &c. and which, taken in that sense, have introduced misapprehension and obscurity, are, in reality, applicable only to the destruction of Jerusalem, and the extinction of the Jewish nation. Disquisitions of this kind are exceedingly interesting to those who wish to extend the boundaries of religious knowledge, by explaining in a natural and easy manner the figurative and metaphorical language of the sacred writings. And when conducted with this honest view, they will meet with a candid reception from those on whom the author’s reasonings may not produce conviction. It is with this design that Mr. Nisbet hath, apparently, written; and we cannot but think that he hath prosecuted it with considerable success. His language is plain and intelligible; the spirit which he discovers modest and unassuming;

and his critical abilities such as entitle him to respectful attention. We wish him encouragement in his useful enquiries; and entertain hopes, that the present is but an earnest of future and more extensive productions.

Dr. Macknight’s “New Translation, from the Original, of the Apostle Paul’s First and Second Epistles to the Thessalonians, with a Commentary and Notes,” is a part only of a larger work by that respectable and well known author, which has been the result of many years study and application, and which, we hope, the reception of this specimen will encourage him to publish. His declared object is, to make his version “as exact an image of the Greek text,” as the nature of the English language will permit. Whenever he meets with a doubtful passage, he assigns his reasons, in the notes, for the particular translation which he adopts. In a column opposite to the translation, the Doctor has given his Commentary on the text, which is, in general, practical and useful, though it will not be implicitly received by those who are at variance with what is commonly deemed the orthodox system of theology. To each epistle the author hath given a preface which treats of the occasion on which it was composed; the character of the persons who are mentioned in it; the place in which it was written, and other circumstances. And he hath added to the whole, Essays on the Commission given by Christ to his Apostles, and on the Nature and Authority of their Writings; on the Uses which the Christian Churches were to make of the Epistles, and the Manner in which they were published and preserved; on St. Paul’s Style and Manner of Writing; and on the Greek Language as used by

by the Writers of the New Testament. Of Dr. Macknight's abilities as a judicious Scripture critic, the world has already formed an opinion from his *Harmony of the Gospels*, which was received with very general and warm approbation. The present work bears marks of the same abilities and application. And when we consider the great difficulties which attend the proper illustration of the apostolic writings, we rejoice that the number of learned commentators on them increases. From every endeavour to illustrate peculiarities in their language, or in the circumstances of the times when they were written, some advantages may be gained; and the perfect understanding of them becomes more easily attainable to the sedulous enquirer.

Dr. Smith's "*Summary View and Explanation of the Writings of the Prophets, &c.*" was drawn up, as we are informed in the advertisement, in the Gaelic language, at the desire of the society in Scotland for propagating Christian knowledge, to accompany a Gaelic translation of the Writings of the Prophets, for the familiar and easy illustration of that part of Scripture. The reasons which he assigns for publishing it in the English language are, the suggestions of his friends, that by the constructing of such books, upon so small a scale, an important object would be gained to the poor, who want means to purchase, and to the rich, who want leisure or inclination to peruse our larger and excellent commentaries. This work is executed with great plainness and simplicity; and appears to be well adapted to answer the good design of the author, and to the establishment of a rational faith and piety.

The anonymous author of "*An*

Essay on the Gift of Tongues," undertakes to prove, that it was not the gift of understanding and speaking different languages, but that of speaking in tones, or musical sounds. This hypothesis the author takes great pains to defend; and his arguments, if not convincing, are ingenious and plausible. We apprehend, however, that he fails in his most material proof; and that his criticism on the original will not be supported by an appeal to the best Greek writers.

Of the treatises which have been written in defence of Revelation, the first which claims our notice is, Dr. Priestley's "*Letters to a Philosophical Unbeliever, Part II. containing a State of the Evidence of Revealed Religion, &c.*" The author's principal aim is, to obviate the prejudices against Revelation which obtain so frequently in persons devoted to philosophical pursuits. In doing this, he has introduced some admirable remarks on the nature of human testimony; on the evidences of Revelation, and the circumstances which relate to a supernatural interposition; and on the necessity of calling men's minds, by such means, to the contemplation of God, and his perfections. To these succeed his enquiries into the nature of the prejudices for and against Revelation, and especially into the causes of infidelity in persons of a speculative turn of mind; the distinct characters of the Jewish and Christian Revelations, and the circumstances under which they were promulgated; the different grounds on which the evidence of the truth of these Revelations and those of other religions stands; and the causes deduced from the clearest historical testimony, why Christianity was received so slowly, and with so much difficulty by the heathen world.

world. The concluding letters contain an account of the objections brought against the historical evidence of Christianity in early times, and animadversions on Mr. Gibbon's endeavour to invalidate the testimony of the first Christians, in his History of the Decline and Fall of the Roman Empire. It was not easy for our author to add to the credit which he had acquired as an advocate for revealed religion against its open and avowed enemies. In the letters before us, however, he hath executed a more arduous task, in developing the misconceptions, and unanswerably refuting the objections of its most subtle and dangerous opponents, whose opinions derive a sanction from their intimacy with the sources of knowledge, and their imagined superiority over weak and vulgar prejudices. To persons of the description just mentioned we particularly recommend this rational and philosophical defence of the divine origin of Christianity. They will find it to be liberal as is the genius of the religion which it is meant to support; and, if they can divest themselves of their prepossessions, satisfactory as mathematical truth. By the friends of Christianity in general, and even by those who may disapprove of the author's peculiar views of Christian doctrine, it will be received as one of the most weighty and valuable apologies for their religion.

Mr. Morgan's "Demonstration, that true Philosophy hath no tendency to undermine Divine Revelation, and that a well grounded Philosopher may be a true Christian," was published originally among the Dissertations on natural and revealed Religion, to which the prizes have been adjudged by Teyler's Theological Society at Haarlem; and it appears in its present separate form,

for the benefit of the English reader. Philosophy he justly defines to be the discovery of truth, by a careful attention to, and investigation of the appearances and operations of nature. After this he proceeds to shew, 1st. that the principles of philosophy, thus defined, are not inconsistent with the principles of revelation; 2dly, that the very act of investigation, by improving the sagacity of the mind and strengthening the judgment, is favourable to the cause of revelation; 3dly, that the actual possession of knowledge can have no tendency to produce unbelief. After discussing these several propositions, with great perspicuity of reasoning, and strength of language, he concludes, by explaining the causes which have given rise to the opinion, that the pursuit of philosophy is prejudicial to the interests of revelation. With respect to the general execution of this work, we think that it does great honour to the author's abilities and penetration; and we recommend it to our readers, as an instructive and interesting performance. It were to be wished, however, that as our author was not obliged, in this edition, to confine himself within the forms of a general essay, he had been more particular and circumstantial in some of his excellent illustrations. His performance, as far as it goes, convinces us, that his talents would have enabled him to have done great justice to such an important subject; and he would have been entitled to still warmer thanks from the friends of philosophy and religion.

Dr. Cooper, in his "One great Argument for the Truth of Christianity from a single Prophecy evinced, in a new Explanation of the 7th Chapter of Isaiah, &c." supposes that the prophecy delivered to

Ahaz, as recited in that chapter, relates more pointedly and exclusively to Christ, than most commentators are willing to allow. The opinion very commonly held, that it contains two prophecies, the completion of the former of which was typical of that of the other, he conceives to be attended with insuperable objections. His own sense of the passage he founds on a different translation of a considerable part of it, in which he deems himself justified by the genuine sense of the Septuagint version. To the good intention and ingenuity of our worthy author we readily subscribe; but we are not satisfied that his explanation frees this intricate passage of scripture from all its difficulties. His object, however, is highly laudable: and it is from such endeavours, prosecuted under the auspices of sound literature, and genuine liberality, that we may hope for such light as shall rescue this and other difficult parts of the prophetic writings from the imputation of obscurity.

Mr. Boissier's translation of "Philosophical and Critical Enquiries concerning Christianity, by Charles Bonnet of Geneva, F. R. S." introduces to the English reader an excellent work, from which the ingenious author has received distinguished honour, and the cause of religion powerful support. This work is judicious, forcible, and persuasive; and the translator, though he has not presented us with the whole of his original, appears to have executed his task, so far as he has gone, with great fidelity. Besides the present translation, another hath appeared of a smaller part of this work under the title of "Interesting Views of Christianity," the author of which, likewise, will

have the thanks of the friends of revelation.

"The History and Philosophy of Judaism. By Duncan Shaw D. D." is designed to defend the Jewish dispensation against the attacks of modern sceptical writers, and, particularly, those of Mr. Hume. This work is divided into three parts. The first treats of the divine origin of the law; the religious and civil establishment of the Jews; and discusses the objections against what have been commonly deemed the most exceptionable parts of the Jewish Theocracy. The second part is on the Duration of the Mosaic Dispensation, shewing that it was intended to be temporary only, and to prepare the way for the christian religion. The third part is employed in proving, that the Gospel contains the last Revelation of the Will of God, which mankind are to expect. To these succeed some general Corollaries drawn from the preceding Investigations. In this work Dr. Shaw appears to be actuated by the most laudable motives, and discovers a considerable acquaintance with the subject which he has undertaken to illustrate. His style and language, however, are frequently inelegant and obscure, and will be thought, sometimes, to be too declamatory. But if he is not the most able and successful champion who hath advanced to this ground of controversy, we think that his work hath sufficient merit to recommend it to the serious candid enquirer, and that it may be read with advantage by the Believer and by the Infidel.

Mr. Whiteley's "Essay on the Advantages of Revelation," is a republication, with considerable alterations and additions, of what gained the author, at a very early age,

age, the first Norrissian prize in the University of Cambridge. In this little work the author discovers considerable literature and information. He has compressed, within a narrow compass, some of the strongest arguments in favour of Christianity, and judicious answers to the objections of unbelievers; and he has delivered these in language that is correct and elegant.

In our last Annual Register we expressed our hope, that Dr. Priestley's Letters to the Jews would engage the ingenious and learned among them, in a candid and liberal discussion of the evidences of Christianity. The challenge which was thrown out in those letters has been accepted by David Levi, known in the learned world as the author of a Hebrew Grammar and Dictionary, and a Treatise on the Ceremonies of the Jews. This ingenious writer in his "Letter, to Dr. Priestley, &c." contends, that the dispersion of the Jews, instead of being the consequence of their rejection of Jesus as the Messiah, is but a continuation of the Babylonish Captivity. The prophecy of the seventy weeks, he maintains, has no reference to the Messiah, but was intended only to satisfy the mind of the prophet with respect to the duration of the punishment which was inflicted on the Israelites. He next compares the Missions of Moses and of Jesus; and repeats many of the common objections against the Miracles of Christ, made use of by Deistical writers, the weakness and futility of which have been frequently pointed out and exposed. Notwithstanding that we consider this advocate for Judaism as a shrewd and skilful disputant, we do not think that much credit is due to him for his liberality and candour. In this opinion we are confirmed

by the repeated doubts which he insinuates respecting Dr. Priestley's sincerity in the religion which he hath undertaken to defend.

To this reply Dr. Priestley has published an answer in his "Letters to the Jews, part the Second." In these Letters he complains of his opponent's deficiency in candour and learning, and contends, that no satisfactory account can be given of the dispersion of the Jews, without considering it as a divine punishment for their rejection of Christ; and that the prophecies cannot be rationally explained, if their reference to Jesus as the Messiah is denied. His arguments he presses with renewed force and spirit, without losing that dispassionate candid temper, in which his first publication on this subject was written.

Mr. Bicheno's "Friendly Address to the Jews, &c." seems to have originated in a persuasion, that the arguments in favour of Christianity, would be more likely to produce conviction, if supported on the ground of orthodoxy. This address is written with great attention, earnestness, and candour; and the author is particularly successful when he combats the opinion of Mr. Levi, that the present state of the Jews is only a continuation of the Babylonish captivity; and when he contends, that "however his arguments may affect the opinions of Dr. Priestley, they form no objection against the Christian religion."

The "Letter to the Jews: with occasional remarks on a late address to them by Dr. Priestley, by a Layman," is also deserving of praise, as a benevolent, candid, and judicious performance. Although the author differs greatly from Dr. Priestley in his opinion respecting the person of Christ, he applauds the

the spirit with which his letters are written, and warmly recommends and supports the evidence and reasoning which they contain in favour of Christianity.

Mr. Swain in his examination of "The Objections of Mr. David Levi to the Mission, Conduct, and Doctrine of our Lord Jesus Christ," beside endeavouring to remove the general prejudices of the Jews, is particularly employed in reconciling their minds to the reception of the doctrine of the Trinity. How far his labours will be serviceable to the interests of the gospel, we will not take upon ourselves to decide.

"Jesus Christ the true God, and only object of supreme adoration, in 2 vols. by J. Hodson M. D." is a work which appears to have been written under a strong conviction of the truth and importance of the doctrine for which he contends. In the first vol. he endeavours to establish his opinion, which he thus explains: "That the self-existent Deity is unapproachable; that the son, or glorified humanity, is the medium by, through, or in which we worship the father, or divinity; that in worshipping the Lord Jesus Christ, we worship the one true and only God, in whom is a Trinity of nature, Father, Son, and Holy Ghost, united in one glorified person." In the 2d. vol. he considers the objections which may be brought against his hypothesis; and concludes it by an appendix, containing observations on an examination of Mr. Robinson's plea. If our author has not brought forwards any powerful critical abilities in aid of that side of the question which he favours, he has convinced us, nevertheless, of his acquaintance with the best arguments which are usually adduced, and of the commendable view with which he has published them.

Mr Parkhurst, in his demonstration from scripture, of "The Divinity and pre-existence of our Lord and Saviour Jesus Christ; in answer to Dr. Priestley's Introduction to his History of Early Opinions, &c." rests a considerable part of his proof on the plural termination of the word *elohim*, which he endeavours to shew, implies that there is more than one person in the godhead. This reasoning he supports by his explanation of the language of the New Testament, and, particularly, by that of the Evangelist John. In a postscript he defends the conclusions which he draws from the plural termination in the name of God, against the critical observations of Mr. Gilbert Wakefield. Whatever claims Mr. Parkhurst may have to learning and ingenuity, we do not think that he has been more successful than others who have gone before him, in defence of his favourite subject. His reasonings are not new; the passages of Scripture to which he makes an appeal, are such as have again and again been discussed by the writers in this controversy: and as to any additional illumination we have not received it from the treatise before us.

Dr. Geddes in his "Letter to Dr. Priestley attempts to prove, by one prescriptive Argument, that the divinity of Jesus Christ was a Primitive Tenet of Christianity." The argument which our author fixes on is, the decision of the first general council of Nice. Their testimony, supposing them to be men of common sense, and common integrity, together with the disputes between the Homousians and Homoioussians, who agreed in receiving the doctrine, but differed in their manner of explaining it, he considers to be decisive of the question. It would be foreign to the nature

nature of our work, to enquire into the credit due, in this debate, to the determination of a number of men, in the fourth century, who were called together by Constantine, for the express purpose of condemning Arius and his followers, and of establishing, by an authoritative decree, the orthodox doctrine. We cannot but observe, however, that the argument does not lose any of its weight in our author's hands. His letter discovers him to be possessed of extensive knowledge, and equal ingenuity; and is written with a spirit and temper that add credit to his character as a man, and as a Christian.

Mr. Madan's "Letters to Dr. Priestley, &c." are employed in supporting the arguments in favour of the Trinity, which are drawn from the Old Testament; and in defending the character of Paul against the alleged misrepresentations and attacks of that writer. If Mr. Madan hoped for success and fame from entering the lists against the great champion of heresy, he has taken the most effectual measures to defeat his own wishes; as the most gross illiberality, and total want of all proper decorum, are the most prominent features in his publication.

Dr. Priestley's "Letters to Dr. Horne, dean of Canterbury; to the Young Men who are in a Course of Education for the Christian Ministry at the Universities of Oxford and Cambridge; to Dr. Price; and to Mr. Parkhurst, on the Subject of the Person of Christ," are intended, partly, to defend the Unitarian doctrine, and his former labours in the support of it, against the advocates for Athanasianism and Arianism; and, partly, to excite in the minds of the students in divinity in the universities, a spirit of enquiry into the truth of those doctrines which

they are called upon to subscribe. In this work our author manifests his usual acuteness and address as a polemic, and successfully vindicates himself against the insinuations which had been thrown out, respecting his deficiency in the knowledge of the learned languages.

The last publication was soon followed by an angry "Address to the Candidates for Orders in both Universities, on the subject of Dr. Priestley's Letters to them," in which the writer is so warm and virulent, as to injure rather than serve the cause which he espouses. Instead of pitying his opponent for his mistaken views of divine truth, he roundly charges him with impiety and blasphemy; and doubts not, that if he had lived in the time of our Saviour, "he would have been among the foremost of those, whose detestable hands were lifted up to destroy the God of their life, the author of their eternal salvation."

The "Letter to the Rev. Dr. Priestley, by an Under-graduate," contains an attack on the address of that gentleman to the students of the two universities, sustained with much shrewdness and humour; and occasionally animadverts on the auxiliary labours of Mr. Lindsey in the Unitarian controversy.

"A Declaration of my last Sentiments on the different Doctrines of Religion, by the late Pierre François le Courayer, D. D." translated from the edition published in French from the MS. of the author, by Dr. Bell, prebendary of Westminster, is a publication that reflects great honour on the memory of that worthy man, from the unaffected spirit of liberality and candour which it breathes. Notwithstanding that he lived and died in the communion of the Roman Catholic church, he was far from

from approving many of the opinions and superstitions which have been introduced into it. Against these he delivers his protest with Christian freedom and simplicity. But the most striking part of these last sentiments explains the view which he entertained respecting the person of Christ. This is so clear and simple, and so happily illustrated by the language of the New Testament, that it highly deserves the attention of those who are engaged in the dispute respecting the Trinity.

The "Thoughts on the Progress of Socinianism; with an enquiry into the Cause and Cure, &c." appear to be the production of more than one person, anxious to prevent the spread of what is deemed a dangerous and growing heresy. These Thoughts are addressed to ministers of all denominations, who are earnestly exhorted to unite their zealous efforts in this good work. We can have no doubt of the seriousness and good intention of the authors of this pamphlet; but we cannot well understand from it what particular mode of opposition they would recommend, or what particular doctrine respecting the person of Christ they would adopt in the room of the Socinian. To these Thoughts is added a letter to Dr. Price, on his late Sermons on the Christian Doctrine, in which the authors blame him for not giving some more favourable views of the doctrine of the Trinity, as well as for being silent respecting the Holy Spirit.

Dr. M'Gill's "Practical Essay on the Death of Christ," is divided into two parts; the first of which treats of the History, the second of, the Doctrine and Death of Christ. The sentiments of our author are liberal and rational; they

are delivered in perspicuous and nervous language; and appear to be the conclusions of a pious and well informed mind, after a diligent and honest enquiry after truth.

The treatise on "The Liberty of the Human Will; or Salvation attainable to all within the Sound of the Gospel," is a modest endeavour to prove that the doctrines of predestination and reprobation are inconsistent with the natural and just sense of scripture. In the Appendix, the author offers his thoughts on the divine prescience, in which, while he allows of the possibility of that attribute, in the most extensive sense which has ever been admitted, he thinks it reasonable to conclude that God "did not exercise such a foresight, as such an exertion appears inconsistent with infinite wisdom, because contrary to order; as laying a restraint on infinite goodness and mercy, which are free and unconfined, and contradicting all the rules of moral government."

Mr. Cornish's "Brief Treatise on the Divine Manifestations to Mankind in general, and to some in particular," is a serious, plain, and useful little work; calculated to impress the mind with just and encouraging views of the divine administration, and to excite the emotions of rational piety.

The "Lectures supposed to have been delivered by the Author of a View of the Internal Evidence, of the Christian Religion, to a select Company of Friends," contain an ingenious and plausible defence of methodistical principles, by a student in the school of the late Soame Jenyns. The subjects of them are, faith in Christ, as something widely differing from, and superior to a rational conviction of the truth of Christianity; the causes of insidelity,

ty, among which are enumerated the candour, and rational refinements of modern divines; the necessity of revelation; the ascension of Christ; the credibility of revealed religion; the importance of revelation; and humility. The language in which these Lectures are written is, in general, accurate and elegant: and the talents of the author appear so respectable, that we could wish to see them employed in a more rational service. By those, however, who can relish the doctrines of the Tabernacle, this performance will be held in high estimation.

In mentioning the sermons of the year 1787, we shall, in the first place, announce the publication of a third volume of "Sermons on various Subjects, and preached on several Occasions, by the late rev. Thomas Franklin D. D. Chaplain in ordinary to his Majesty, &c." The subjects of these discourses are plain and practical; and the execution of them is such as will justify the hope of the editor, that they will be found "not less interesting, or less worthy of patronage than those of the preceding volumes." For the character of those volumes, we refer the reader to our account of the Domestic Literature of the year 1786.

Mr. Dupré has, likewise, published an additional volume of "Sermons on various Subjects," which possess many of the same excellencies, and we wish that we were not obliged to add, some of the same defects which we noticed in his first volume. His imagination still continues to be more lively than his taste is correct; and his metaphors are frequently indistinct and misapplied. But we do not mean, by these observations, to detract from our author's real

merits. These are discoverable in the spirit of cheerful piety which his discourses breathe; and their uniform tendency to promote virtuous moral conduct. To those who read sermons for instruction, and not for amusement; and especially to those whose sentiments, like our author's, are conformable to the articles of our established church, this volume will be an acceptable present.

A second volume of "Sermons by David Lamour, D. D. Chaplain to His Royal Highness the Prince of Wales," hath also been published during the present year. The first volume, which appeared before the commencement of our annual labours, was remarkable for the author's frequent affectation of puerile conceits, incongruous metaphors, and a disgusting profusion of meretricious ornaments. The volume before us is a laudable testimony to the great improvement which he has made, in taste and in judgment. The style of it is, in general, correct and elegant; the language manly and animated; and the sentiments liberal and just. Still, however, there is room for improvement: and we would recommend to the author a growing jealousy of his fondness for splendid imagery, and far-fetched similes. By exercising that attention and care of which he is evidently capable, we should not despair of seeing Dr. Lamont acquire a very distinguished rank among pulpit orators.

When we published our account of Domestic Literature for the year 1786, we had not met with a volume of "Sermons on different Subjects, by the rev. John Hewlett, of Magdalene College, Cambridge, &c." which, otherwise, would have been justly entitled to our notice. These discourses afford unquestion-
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able proofs of the abilities, liberality and piety of the author. The subjects of them are interesting and important; their language simple and elegant; and the useful and valuable sentiments which they contain are conveyed in a manner that is powerfully adapted to affect the heart, and to influence the conduct. As for those trifling defects which a rigid censor might point out in this volume, they are abundantly counterbalanced by its general and sterling merits.

The "Sermons by G. Gregory F. A. S. Author of *Essays Historical and Moral, &c.*" form another valuable addition to the excellent publications of this kind, by which our countrymen have been eminently distinguished. They are sensible, serious, and instructive. Their style, in general, is correct and energetic; and in their construction, the author hath maintained a happy medium between the loose essay-form of many modern compositions, and the perplexing arrangement of the sermons of the last century. Their liberal spirit, likewise, will be a warm recommendation of them to the candid and dispassionate reader. To these discourses is prefixed an essay on the composition and delivery of a sermon; in which Mr. Gregory has given many excellent observations on the subject, arrangement, and style of such compositions, which are highly deserving of the attention of the younger clergy.

In the "Discourses preached at the Cathedral Church of Winchester, by James Webster, B. D. Fellow of St. John's College in Cambridge," beside several useful and practical subjects, which the author has treated in a plain, sensible, and judicious manner, we are presented with an examination of the five

causes to which the sudden propagation of Christianity is imputed by Mr. Gibbon; and an enquiry into the rise, progress, and doctrines of methodism. The author's remarks on Mr. Gibbon are by no means destitute of ingenuity and weight; though they are sometimes delivered in a phraseology which the friends of that gentleman will complain of, as unwarrantable and illiberal. But the discourse relating to the methodists; does not shew the author to be thoroughly acquainted either with the history, or the principles of that party of Christians. Of this the reader will want no other proof when he finds Mr. Webster observing, that we are to look back to the era of John Calvin's ministry in 1541, for the origin of this sect; and that their distinguishing principle is the doctrine of predestination and election.

The volume of "Sermons by Charles Symmonds, B. D. of Clare Hall, Cambridge," is a publication of considerable merit, though the author indulges too freely to the fire and luxuriance of youth. Many of his preliminary observations on the composition of a sermon, and on the frequent use of the words of scripture, meet with our ready concurrence. His illustrations of scripture are often natural and beautiful; and his remarks forcible and pious. His arrangement, likewise, is generally just and perspicuous. We would, however, recommend it to our author, in any future publication, to avoid novel and affected epithets; in which there is more quaintness than energy; and to labour more assiduously after correctness. By an attention to this advice, he will be in no danger of repressing the proper warmth and ardour of his compositions; and may outstrip many of his competi-

tors for the palm of pulpit eloquence.

Of the "Eighteen Practical Sermons upon interesting Subjects, by the Rev. William Jabet, B. A. late Lecturer of St. Bartholomew's Chapel in Birmingham," we are told, in an advertisement, that they were never intended by the author for the public eye; and that they are now printed for the benefit of his widow and family. Under these circumstances, it would be unjust and cruel to judge of them by the rules of strict criticism. They are plain and pious; and evidence the author's zealous attachment to the principles of orthodoxy.

Such also is the character of the "Sermons on Evangelical and Practical Subjects, by the late Rev. William Cruden, A. M. Minister of the Gospel, in Crown Court, London" which are published under similar circumstances. Those who were accustomed to be edified under the exhortations of Mr. Cruden, will recognize, in this volume, his genuine productions, and consider him, though dead, as yet speaking to them.

Dr. Priestley's "Discourses on various Subjects, including several on particular occasions," consist, partly, of such as have been printed separately, on different occasions; and, partly, of such as are new to the public. The subjects of the latter are, the Danger of bad habits; the Duty of not being ashamed of the Gospel; glorying in the Cross of Christ; taking the Cross and following Christ; and the Evidences of Christianity from the Persecutions of Christians. These subjects are treated in a familiar and useful manner, with the author's usual good sense and liberality; and will afford pleasure and instruc-

tion to those who hold no acquaintance with the doctor's peculiar opinions.

From the number of single sermons which have been published during the present year, we shall select only the two following as the objects of our particular notice. The first is Dr. Horsley's discourse "On the Analogy between the Light of Inspiration, and the Light of Learning, as Qualifications for the Ministry; preached in the Cathedral Church of Gloucester, at a public ordination of Priests and Deacons." The intention of the author is to show, that as the miraculous gifts bestowed upon the first preachers of Christianity, were designed to supply the want of learning, "so, in these later ages, learning is instead of them;" and that the practice of modern enthusiasts, who affect to despise its advantages, and to depend on their zeal and fervor, is not less inconsistent with the true spirit of the apostles, and the genuine meaning of their language respecting the vain pretenders to science, than it is contrary to reason and common sense. This discourse is a learned and elegant composition; and discovers marks of Dr. Horsley's usual ingenuity and acuteness. But we cannot give our sanction to several of his incidental observations, and the conclusions which he draws from them. And we imagine, that many of his readers will object, in the first instance, to the conjecture on which his subsequent reasoning is built; viz. that there were nine distinct extraordinary gifts of the Spirit bestowed upon the first Christian churches, and nine distinct ecclesiastical offices, corresponding to the former: and that in these offices is evidently discernible the estab-

blissment of a Christian hierarchy, within little more than half a century after the death of Christ.

The other single sermon of which we shall make any mention, is that of Dr. Price on "The Evidence of a future Period of Improvement in the State of Mankind; with the Means and Duty of promoting it; delivered to the Supporters of a New Academical Institution among Protestant Dissenters." This discourse is written under such liberal and enlarged views of things, as must render it highly acceptable to the generous and benevolent mind. The leading idea of the author, that human nature is in a gradual state of progression, is a pleasing and beautiful, as well as a philosophical idea, and is ably supported by an appeal to scripture and to facts. His observations on the analogy between the improvements in natural, and in religious knowledge, are sensible and striking; and his conclusion fair and just, that "it would be strange, indeed, if men were not likely to understand religion best, when they understood best all other subjects; or if an increase of general knowledge only left us more in the dark in Theology." The reasons, also, which he assigns for the slow and partial propagation of Christianity in the world, are convincing and satisfactory. To this discourse there are annexed reports of the progress and funds of the new institution; from which it appears, that the spirit and liberality of its founders continue warm and active, as at the first; and that they enjoy increasing prospects of its extensive utility.

As we have no recollection of the publication of any metaphysical treatises, during the present year, we shall now proceed, according to our established order, to take notice

of such works as are to be referred to the head of government and law.

In "An Historical View of the English Government, &c. by John Millar, esq. Professor of Law in the University of Glasgow," we meet with an interesting display of the gradual progress of the English constitution, from the earliest periods of its history, accompanied with philosophical reflections on human nature, and the progress of society. The whole of the author's plan is divided by him into three books. The first comprehends the series of events from the settlement of the Saxons in Britain to the Norman Conquest; the second from the reign of William the Conqueror to the accession of the house of Stewart; and the third from the reign of James the First to the present time. In his first book Mr. Millar, after giving a preliminary account of the state of Britain under the dominion of the Romans, treats of the conquest of England by the northern Barbarians; the division of the country under the various chiefs by whom that people were conducted; the subsequent union of those principalities under one sovereign; and the course of public transactions under the Saxon and Danish monarchs. In a close and diligent investigation of these dark times in which the foundation of our present constitution was laid, our author has given such evidences of patient enquiry, and calm judicious reasoning, as reflect the highest honour on his abilities and ingenuity. The second book is devoted to enquiries respecting the changes introduced into the English constitution at the time of the Norman conquest; the courts of justice; the gradual progress of ecclesiastical jurisdiction and authority; the history of the parliament; the king-

ly power from the reign of Edward the First, to that of Henry the Seventh; the alterations in the state of the ordinary courts of justice; the establishment of the courts of common law at Westminster; the petty jury and the grand jury; the circumstances which prevented the civil law from being so much incorporated in the systems of English jurisprudence, as in that of other European countries; the rise of the court of Chancery; and the circumstances which promoted commerce, and the arts, in modern Europe, and particularly in England. In this book Mr. Millar investigates the changes that took place in the English government with unusual accuracy and perspicuity; and when he differs from those who have written before him on the same subjects, he supports his opinions, either by unquestionable historical evidence, or by the most forcible and satisfactory reasoning. For the third part of our author's plan, which is designed to point out the improvement made in the English government, from the accession of the house of Stewart to the present time, with the present state of the British constitution in all its principal branches, we look forward with much impatience, and with the highest expectations. The style of this work is, in general, nervous and chaste, and sufficiently ornamented for a philosophical performance. And its general merits are so great, as to secure to its author a lasting reputation in the republic of letters.

"*Pou-Row: an Historical and Critical Enquiry into the Physiology and Pathology of Parliaments,*" is a work of that mixed complexion, that we were for some time at a loss, whether to introduce it in this place or

in our political department. Its quaint and enigmatical title is composed of two syllables, by which, as we are informed, the Egyptians expressed the executive power. In the first part of this work the author enquires into the origin and constitution of parliaments; in which his knowledge of the fundamental principles of the British constitution appears to be exceedingly defective. The doctrine of modern reformers he derails and execrates: and as they derive all power from the people, he endeavours to prove that it resided originally with the king; and that parliaments were in their state of perfection at a time when it has been generally supposed that the English constitution was but in embryo; when, as he says, the commons were contented: "with their own place, and had not yet conceived the flattering, but pernicious idea of a popular government." In the pathological part the author gives an account of the real and supposed defects in the present constitution of parliament, together with his new plan for a reform. The purport of this plan is, to extend the prerogatives of the crown, but under a nominal subjection to the laws; to increase the influence of the aristocratic branch of the constitution; and to diminish the power of the people. From this account of our author's principles, which we have given in as compressed a form as possible, our readers will be able to judge of the design and tendency of this publication. As to its general execution, it is written in a peculiar and fanciful, but at the same time in a spirited and pleasing manner: and we have often found the author's observations to be acute and sensible, though the opinions which he endeavours

to establish are not consentaneous to what we judge to be the spirit of the British constitution.

The "Comparative Reflections on the past and present Political, Commercial, and Civil State of Great Britain, with some Thoughts concerning Emigration, by Richard Champion, esq." are delivered in the form of letters to a friend, dated at sea, in 1784, on the author's passage from England to America. The subjects of these letters are of considerable importance, and have frequently employed the pens of our ablest writers on finance, commerce, and politics. After an introductory letter on the motives for his quitting this country, the author enters into a discussion of the national debt, and the present peace establishment, in which he indulges to the most gloomy views, which experience and the present state of things will by no means concur in justifying. After this he takes a view of the system of government during the present reign; which, excepting the administrations of lord Rockingham and the duke of Portland, he severely censures as "an heterogeneous mixture of debility and insolence, tyranny and corruption." Mr. Champion, in the next place, enquires into the principles of the different parties who have by turns succeeded to the helm, and the motives of the whig leaders in forming the coalition, of which he is a friend and admirer. The following letters are on the state of the commerce of Great Britain before the war, and since the peace; the former and the present state of the manners of the people of Great Britain; and on the subject of emigration from this country. In these letters the author is evidently guilty of palpable errors, and biased by unjustifiable prejudices against the

country which he has deserted. In the representation which he gives of the corruption of the people, and in the comparison which he draws between the vices of Rome before its fall, and those which prevail in England, he exaggerates matters beyond all possible truth. We do not say that many of his observations relating to France, the principles of foreign commerce, and the public manners, are not deserving of attention and regard: but his reflections are so frequently accompanied by the effusions of a virulent party spirit, that they are not likely to secure to themselves a dispassionate and favourable reception.

From the pen of the marquis de Casaux, the public hath received a "second" and "a third Continuation of Thoughts on the Mechanism of Societies." In these publications our lively and entertaining writer engages in a vindication of the doctrines which he had laid down in his former work, against the objections which have been brought against them as paradoxical and visionary. Though we think that, in several instances, he hath succeeded, and have received greater pleasure from his defences, than from his original thoughts, yet we find ourselves obliged still to except against many of his principles and conclusions. These continuations, however, hold out to the British reader the same bright prospects with the author's former work; and may be recommended as affording a proper antidote to that gloominess and despondency, which the dark colourings and ominous predictions of the last mentioned writer are calculated to excite.

"A Political Survey of the Present State of Europe, &c. by R. A. W. Zimmermann, Professor of Natural Philosophy at Brunswick," con-

sists of sixteen different tables, containing a general comparative view of the forces, government, extent and population of the different kingdoms of Europe; to which are added, observations and remarks on the productions, wealth and commerce of the countries which he describes. The author does not present this work to his readers "as the result and essence of what is known concerning the present state of Europe," but only as the outlines of a larger treatise, which he means to "fill up, at a future period, with more circumstantial and better arranged intelligence." The chief sources of his information have been the political works of his countrymen the Germans, whose attention has been very much engaged, of late years, by such kind of disquisitions. From the work before us we have received much pleasure and information, which we consider as an earnest only of what we may farther expect from the author's abilities and application.

The "Defence of the Constitution of Government of the United States of America, by John Adams, L.L.D." was published to combat an opinion of Mr. Turgot's in his letter to Dr. Price, that the states of America, in forming their constitutions, have imitated the customs of England, without any particular motive; and that instead of collecting all authority into one centre, that of the nation, they have established different bodies; a body of representatives, a council, and a governor, because there is in England a house of commons, a house of lords, and a king. The great object of Mr. Adams is to enquire into the meaning of Mr. Turgot's indeterminate expression, "one centre, that of the nation;" to expose the absurdity of his theory; and to

show, that a mixture of the three powers, the regal, the aristocratical, and the democratical, properly balanced, composes the most perfect form of government, and is the best calculated for the security of political happiness. Of this important and interesting work, two volumes have been published during the present year. In the first volume the author examines, with a penetrating and philosophical eye the most celebrated states and commonwealths of antiquity, and the opinions of the best ancient and modern philosophers, who have written on the principles of their government. His remarks on these are sensible and valuable; and his conclusions are supported by an appeal to the unequivocal and decisive testimony of history and experience. In the second volume Mr. Adams lays before his readers a sketch of the history of the Italian republics of the middle age; to which he has annexed observations on the excellencies and imperfections of their governments. These observations are ingeniously and forcibly applied by him to the confirmation of his favourite principle. Of this work we cannot but express a very high and favourable opinion. It possesses numerous proofs of the author's learning, judgment, and manliness of sentiment, as well as of his sincere and ardent desire to be serviceable to his native country. But we, perhaps, are the more partial in its favour, on account of the fine panegyric which it contains on our own happy constitution; a panegyric which is supported not only on the ground of general reasoning, but by authentic facts and determinate experiments.

The "Observations on the Land Revenue of the Crown," contain an authentic and accurate account

of all the crown lands; of the changes in their value, at different periods, from the reign of William the Conqueror to the present time; and the strong reasons which may be alledged in favour of the proposed alienation of them. This land revenue the author divides into such hereditaments of the crown, as "may be said to be either in possession and actual enjoyment, or in reversion and expectancy. Of the former kind are, first, the demisable estates, which being actually leased out, or in a course of leasing, produce a rent annually, and also a fine upon renewal. Secondly, seefarm rents, and other rents of various kinds. Thirdly, honours, manors, and hundreds, not in lease, but under the care of stewards appointed by patent, or by constitution from the chancellor of the exchequer. Fourthly, lands in the occupation of the crown for the convenience of his majesty or the public service. And, fifthly, all estates and interests which the crown hath in forests and wastes. Of the other kind, which may be considered as being in reversion or expectancy, are all hereditaments which may come to the crown. First, for want of heirs; or secondly, by forfeiture; or thirdly, by the limitation of remainders to the crown." We have particularly specified these different branches of the land revenue, to give our readers a general idea upon the subject. After stating the whole amount of this revenue, and describing the manner in which it is now managed, the author suggests a variety of measures and projects for the improvement of this important object. These observations are the result of great attention to the subject, and convey much useful information to those who are desirous of becoming acquainted with it.

And they are peculiarly seasonable, at the present time, when it is the enquiry of parliament, how they can best convert these unimproved and neglected estates into an object of great national benefit. If public fame is to be credited, the author of this interesting work is the honourable Mr. John St. John, who was for many years surveyor of the crown lands; and who, consequently, must be peculiarly qualified to collect and to digest such a body of information.

"An Account of all the Manors, &c. in the different Counties of England and Wales, held by Lease from the Crown, as contained in the Report of the Commissioners appointed to enquire into the State and Condition of the Royal Forests, &c." will be principally acceptable to persons possessing, or interested in, estates held by lease from the crown, and to gentlemen of the law. The particulars of this account are arranged in columns, under distinct heads. The first gives the counties in alphabetical order, with a brief description of the lands, houses, &c. demised in each. To these succeed the names of the lessees; the dates of the last leases; the terms thereby granted; the periods of expiration; the yearly value of the premises by the last survey; the fines received on the renewal; the old rents formerly received; the increased and new rents surcharged, and to take place when the old ones determine; and observations on particular matters contained in the respective leases.

Of a similar nature is another publication, entitled, "Report of the Commissioners appointed to enquire into the State and Condition of the Woods, Forests, and Land-Revenue of the Crown."

Mr. Howlett, in his pamphlet
P. 4 called,

called, "Enclosures a Cause of improved Agriculture, of Plenty and Cheapness of Provisions, of Population, and of both Private and National Wealth, &c." enters into a particular examination of a pamphlet published about 120 years ago, called, a "Political Enquiry into the Consequences of enclosing Waste Lands, &c. and the "Curious Remarks upon Enclosures, by a Country Farmer," which we noticed in our Register of the last year. In the course of this examination, our intelligent author reasons with his usual force and perspicuity, and satisfactorily points out the errors and inaccuracies of his antagonists; while he establishes the positions with which he sets out, by a detail of acute and masterly arguments.

The "Suggestions for rendering the Enclosure of common Fields and waste Lands a Source of Population and Riches, by Thomas Stone, Land and Tythe Surveyor," are intended to counteract the vulgar prejudices against the practice for which he contends; and as they are penned in a plain and intelligible manner, they are better adapted than more close and laborious investigations, to the people for whom they are chiefly designed.

The "Letter to the Court of Directors of the Society for improving the British Fisheries, with a Plan for the Erection of Villages," appears to be the production of an intelligent and judicious writer, and to merit the attention of the gentlemen to whom it is addressed. One particular object of his pamphlet is, to recommend the letting out land on building leases for twenty-one years, instead of erecting buildings at the expence of the Society. How far his proposal may meet with, or oppose the prejudices of the inhabitants, we are not competent to de-

termine. We doubt not, however, but that the directors will deliberately weigh this and every other circumstance which is meant to contribute to the success of their great national object.

"A Collection of Pamphlets concerning the Poor; with Abstracts of Poor's Rates; Expences of different Houses of Industry, &c." contains, 1. Some Proposals for employing of the Poor, especially in and about the City of London. By Thomas Firmin. First printed in 1678. 2. Bread for the Poor; or, a Method of shewing how the Poor may be maintained and duly provided for in a far more plentiful, and yet cheaper Manner than they now are. By R. D. printed at Exeter, 1698. 3. Giving Alms no Charity. By Daniel De Foe. First printed in 1704. 4. A Letter to the Citizens of Glasgow, containing a short View of the Management of the Poor Funds. By a Citizen of Glasgow. Printed in 1783. 5. Some Reflections on the Poor's Rates, and some Tables taken from the Abstract of the Returns of the Overseers of the Poor, made to the House of Commons in 1776. 6. Specimen of Books of Accounts for Parish Poor. These pamphlets do all of them contain useful hints and observations on the subjects to which they refer; and are particularly deserving of recommendation at a time when the attention of the nation is directed to revival and correction of our poor laws.

The "Considerations on the Bills for the better Relief and Employment of the Poor, &c. intended to be offered to Parliament this Session, by Thomas Gilbert, esq." are the fruits of that gentleman's long and patient attention to the subject of our poor laws and their improvement. The principal proposals in his plan of reformation

are, that each county should be divided into districts; that "certain commissioners should be named in the bill for each county; and that they, as persons best qualified from their residence and knowledge of the country, should prescribe what, and what number of parishes should be thrown into a district;" and that houses of industry should be erected in each district for the residence and employment of the poor. These are the objects which are intended to be comprehended in the first of Mr. Gilbert's bills; and which are examined and discussed in the pamphlet before us. The incorporating the poor of several parishes together, is an experiment which hath already been made in different parts of the kingdom; and, it should appear from the returns delivered in to the house of commons, with considerable success. These instances the author adduces in support of that alteration in our poor laws for which he is an advocate; and hopes that he may be "justified in the confidence, that what has had a good effect in some counties, may be likely to produce the same good effect in the whole kingdom, especially when further improved by suggestions founded on later experience." Whatever be the opinion generally entertained of this new system, and however powerful the objections which may be brought against it, Mr. Gilbert is entitled to the grateful acknowledgments of his country. His labour and industry have been unwearied and unexampled; and whether success attend them or otherwise, he must enjoy those pleasing gratifications which are the reward of active benevolence.

"A Draught of a Bill for the Relief and Employment of the Poor, with Introductory Remarks, &c." is an interesting and well written

pamphlet, in which the author undertakes to prove, that all our alarms respecting the poor, have their source only in the misapplication of the parish money, in the relief of the poor, and the general neglect of finding proper employment for those who are able; and that a revisionary act, founded on the spirit of our present system, "will surmount every obstacle, and produce a reform at once simple, certain, and immediately beneficial." He is particularly hostile to those parts of Mr. Gilbert's plan which recommend the establishment of county workhouses, and the appointment of public commissioners instead of the present managers of the poor. One part of his pamphlet is employed in suggesting the idea of parish workshops, which by affording employment to the industrious poor, would enable them to relieve themselves; and leave them at liberty to retire from them every day, "to the comfort of their own fire side, and to engage in any other occupation that might offer." The reflections of this anonymous writer are so sensible, dispassionate, and humane, that we cannot but recommend them to the attention of all who are engaged in a reform of our poor laws.

The author of "the True Alarm; an Essay, shewing the pernicious Influence of Houses of Industry on the Political Interests of this Country," argues, also, sensibly and shrewdly, against the impolicy as well as inhumanity of uniting great numbers of the poor under one jurisdiction, and in one house. Such a plan, he apprehends, would tend greatly to the decrease of population, and have a fatal influence in "subduing the manly spirit of the lower ranks of the people, who, poor as they may be, are our great dependance for protection, should our

our national interest or safety be in danger from foreign invasion or domestic broils; and who, poor as the lowest are, ought not surely to have their condition rendered still worse, by reducing them to a state of slavery, in the fatal consequences of which even their superiors might in time, be involved."

"A General Plan of Parochial and Provincial Police, by William Man Godschall, esq. one of his Majesty's Justices of the Peace for the County of Surry," is the production of an intelligent and judicious author, who endeavours to promote the great work of public reformation, by urging on his brother magistrates the prevention of crimes, by a strict execution of the laws calculated to support morality, and by an attention to the instruction and morals of the rising generation of the poor. The instructions, likewise, which he has added, to overseers and constables, for better regulating their respecting parishes, &c. appear well calculated by the worthy author to give them a familiar and distinct comprehension of the general duties of their offices.

Mr. Gale in his fourth essay "on the Nature and Principles of Public Credit, &c." brings forward a variety of objections against the system of redemption laid down in the late act of parliament for discharging the public debts; and explains the means by which the sinking fund "may be preserved in its proper line of service." This essay is divided into four sections. In the first Mr. Gale considers the contents of the late act, which he declares to be not only extremely defective, but entirely ineffectual; as the actual reduction of the debt, for which it was intended to provide, can only take place in the time of peace, and that such parts of the debt as shall

be redeemed during peace, must inevitably be again incurred during war. In the second section, he is engaged in pointing out the means of correcting that defect, and of rendering the sinking fund efficient, as well during war as peace. This, he says, may be done, by a conversion of the debt into stocks bearing a higher interest than that of the market, subject to a limited tender for the periodical redemption of the capital. The third section is on the comparative value of annuity-stocks bearing different rates of interest, and subject to different tenders for their redemption. In the fourth section we are presented with a brief account of the rise, progress, and present state of the public debts. From this short account of the work before us, our readers will be enabled to form some idea of the author's plan, which he supports with considerable abilities and ingenuity. To this Essay are added, in an Appendix, many useful tables of the comparative values of redeemable annuity-stocks, bearing different rates of interest, subject to different tenders for the redemption of the capital.

The author of "Considerations on the Annual Million Bill, &c." expresses, likewise, his dissatisfaction with it, chiefly, on account of that part of its principle which admits of borrowing money, in case of a deficiency. This practice he reprobates as impolitical and ruinous; and warmly attacks those writers who have recommended it. The measures which he recommends for discharging the public burthens are, by all honourable means to endeavour to preserve the continuance of peace; oeconomy; a sinking fund supported by a clear annual surplus, and not by loans; to lower the interest of our debts when that can with

with propriety be done; to avoid new loans, if possible; but if that must, be to create new funds which shall be more than sufficient to pay the interest; and lastly, to put an end, at once, to a very heavy annual expence, and to the principal cause of a considerable part of our present national debt, by the restoration of Gibraltar to the Spaniards, for a proper equivalent.

The intention of "An Examination of Mr. Pitt's Plan for diminishing the Public Debt, by means of a Sinking Fund," is to give such an account of that plan as may be intelligible to those whose knowledge of calculation is exceedingly limited and confined. And this intention the author has executed in a clear and satisfactory manner. In answering some of the vulgar objections to the minister's plan, he explains the operation of it during the period of four years and a half, and eighteen years respectively; from which, the time necessary to liquidate the whole of the debt, will be found a plain and easy matter of calculation.

Mr. Herrenschwand's "Dissertation on the Public Credit of European Nations," is a continuation of his *System of modern political Oeconomy*, of which we gave an account in our last Annual Register. This work, while it adds fresh testimony to the ingenuity and good sense of the author, affords new instances of his blameable fondness for hypothesis and needless digression, and of his too frequently drawing conclusions from positions of a doubtful nature, which are supported by his bare assertion, and not by proof. As we are taught to expect future dissertations from Mr. Herrenschwand, before his scheme is completed, we cannot but express our renewed wish, that he would be more careful to avoid those failings

which destroy the importance and value of his labours. And if he had not been so free and magnificent in his promises of what may be expected, by the nations of Europe, from the system which he is to produce, we should wait for it with more favourable impressions, and with fewer apprehensions of a disappointment.

The "Discourse on the external Commerce of European Nations," by the same gentleman, contains many just and sensible observations on the improper attachment of England and of France to external commerce, while they have neglected their internal; and retarded the prosperity to which they might have arrived, by impeding agriculture, and misapplying the force of national industry. But though we admit of the general principle for which our author contends, we do not always feel the force of his reasoning, and are sorry to observe the same imperfections in this discourse, as in those productions of his which we have already noticed.

With uncommon pleasure have we perused a "Defence of Usury; shewing the Impolicy of the present legal Restraints on the Terms of pecuniary Bargains; in a Series of Letters to a Friend; by Jeremy Bentham, of Lincoln's-Inn, esq." In this ingenious and valuable work, the author lays down the following proposition, viz. "that no man of ripe years, and of a sound mind, acting freely, and with his eyes open, ought to be hindered, with a view to his advantage, from making such bargain, in the way of obtaining money, as he thinks fit; nor any body hindered from supplying him, upon any terms he thinks proper to accede to." The truth of this proposition he establishes, by enquiring into the vali-

dity of the arguments which may be adduced in support of the contrary practice. These arguments he classes under five heads, viz. the prevention of usury; the prevention of prodigality; the protection of indigence against extortion; the repression of the temerity of projectors; and the protection of simplicity against imposition. On each of these grounds he shows, clearly and satisfactorily, that no just and rational argument can be alledged in favour of the anti-usurious laws. With equal force of reasoning does he point out the evils and mischiefs which they have a tendency to produce. In the following part of the work, he ably defends the class of men called projectors, to whom this country owes so much for the improvement of her arts and manufactures, from the animadversions which are thrown out against them by Dr. Adam Smith, in his celebrated work on the Wealth of Nations. The subject of this treatise is exceedingly interesting and important, in a national view. And the argument and spirit with which the author attacks the principle of our restraining laws, will, probably, engage other ingenious writers in the serious and public discussion of it. From such a discussion we may ultimately expect the most important and beneficial consequences. With respect to the language of this work, it is, in general, correct and perspicuous; and though occasionally defective in elegance, it is by no means so in pointedness and energy.

In the "Elements relating to the Law of Insurances, by John Millar, jun. esq. Advocate," we have a valuable addition to the treatises which have already been published on this subject. The first part of this work relates to the circumstances requisite to produce a valid insur-

ance; which are the form of the contract; and the accidental or designed effects of fraud and error, in its form, from either of the parties concerned. To this part is subjoined an enquiry, how far the parties have a right to recede from their engagements. The second part is on the nature of an insurance-contract, and the obligations arising from it; together with the subject of average, which is clearly examined and explained. The third part is employed on the circumstances peculiar to insurance, which extinguish the obligation of the parties, and vacate the policy: to which is added, a chapter on the premium, and the return of the premium when the policy is vacated. In every part of this work Mr. Millar gives evidence of great professional industry and just reflection. His doctrines and opinions are supported by authentic decisions; and the whole may be pronounced a judicious and perspective guide to an acquaintance with this kind of jurisprudence. In the author's introduction we meet with many sensible and useful observations on the contract of insurance; its nature, utility, history, and subjects.

Dr. Rush of Philadelphia, in his "Enquiry into the Effects of Public Punishments upon Criminals, and upon Society," argues very sensibly on the inefficacy of such punishments to produce reformation; as they are always connected with infamy, and destroy that sense of shame in the mind, which is one of the strongest preservatives of virtue; as they are generally of such short duration, as to produce none of those changes in body or mind, which are absolutely necessary to reform obstinate habits of vice; and, as experience teaches us, that they rather tend to increase propensities

to crimes. Many of his observations also, on the effects produced on the minds of the spectators, by the fortitude, insensibility, or distresses which delinquents discover, are just and philosophical. But we think that he is too speculative and fanciful in the specifics which he prescribes for the moral disorders of his patients; and, when he says, "I have no more doubt of every crime having its cure in moral and physical influence, than I have of the efficacy of the Peruvian bark in curing the intermitting fever. The only difficulty is, to find out the proper remedy or remedies for particular vices."

"The Emperor's new Code of Criminal Law, published at Vienna, and translated from the German by an Officer," appears to have originated in the true spirit of humanity and philosophy, and to be admirably adapted to promote the interests of his subjects. This code is divided into two parts; the first of which treats of criminal, and the second of civil offences. From that part of the code which determines the punishment of criminal offences, it appears, that capital punishments are to be entirely laid aside; and that the offenders are to be condemned to public exposure, imprisonment for a longer or shorter period, with different degrees of confinement, solitude, and hard work, proportioned to the injuries which they have done to society. The punishments to be inflicted for civil offences are, corporal corrections, the pillory, confinement, condemnation to the public works, fetters, and banishment from a determined place. No pecuniary penalties are to be imposed, excepting in the case of prohibited games. In reading this code, we have received much pleasure from observ-

ing its uniform tendency to mitigate the severity of penal laws; to administer impartial justice; and to render offenders, after having suffered the punishment of their crimes, good and useful members of the community. It is, however, a new experiment: and the changes which it introduces in the radical laws of the emperor's dominions, may produce some temporary evils. But if it should not meet, at first, with a favourable reception; and be immediately succeeded by all the advantages which its compilers may have expected; we have no doubt, but that it will, ultimately, be followed by the most important and beneficial consequences. The translator, as far as we are able to judge, appears to have executed his task with care and fidelity.

From "A Collection of Tracts relative to the Law of England, from Manuscripts, now first edited, by Francis Hargrave, esq. Barrister at Law," the lawyer and antiquary will receive much gratification and amusement. It consists of two manuscripts of the celebrated lord Hale, presented to Mr. Hargrave by Mr. George Hardinge, solicitor-general to the queen; and various other manuscripts communicated by the hon. Daines Barrington, Joseph Jekyll, Sir John Sinclair, lord chief baron Skynner, and others of his learned friends. Among the most valuable and interesting pieces to general readers, is a Treatise concerning the Customs, by lord chief justice Hale, which abounds in important and useful information; and another containing Considerations touching the Amendment or Alteration of Laws, in which the reader will discover marks of the same order, perspicuity, and depth of thought, as distinguish the other works of that judge, which have

already been published. Two of the subjects on which he treats, will be particularly interesting at this time; those of reforms of office, and the crown lands.

Mr. Ruffel, solicitor to the board of commissioners for the affairs of India, hath done a very acceptable service to the East-India company, and to those who are concerned in the affairs of that commercial body, by publishing "A Collection of Statutes concerning their Incorporation, Trade, and Commerce, and the Government of the British Possessions in India, &c." This compilation, besides possessing the merit which is due to patient and tedious enquiry, is recommended by a copious and accurate Index, in which the matter is arranged alphabetically; and lays open to the public, for the first time, the by-laws, constitutions, rules and orders, for the good government of the company, and an abridgment of the charter of incorporation, and other important grants.

Williams's "Compendious Digest of the Statute Law, &c. from Magna Charta, to 27 George III." will recommend itself to gentlemen of the law, by the judgment and accuracy which the author has discovered, in compiling a copious explanatory Index to every act of parliament; and by the clear view which it affords of the progress of the legislature on the different subjects which they have investigated.

"The Attorney's Vade-Mecum, and Client's Instructor, &c. by John Morgan, esq. Barrister at Law, in Two Volumes," is designed to facilitate practitioners in the law in an acquaintance with the method of prosecuting and defending of actions. In the execution of this work, the author has chiefly adopted the plan of Comyns's Digest; while he has not neglected to avail himself

of Bacon's Abridgment; the later reporters; and other works of acknowledged merit and utility. He has, likewise, introduced many valuable observations, resulting from his own experience. As this work is drawn up in a plain and perspicuous manner, and all Latin terms are avoided, as much as possible, it appears well calculated for general use.

Dogherty's "Crown Circuit Assistant: being a Collection of Indictments, Informations, Convictions before Justices, Inquisitions, Pleas, and other entries in Criminal and Penal Proceedings," is recommended as a serviceable collection of precedents, in the branch of special pleading to which it belongs. To this work is added, a Table, in which the different crimes are alphabetically arranged, and the statutes to which they relate, are accurately pointed out.

"The Marriage Law of Scotland stated, by John Martin of Lincoln's Inn," is published, with a view to ascertain with precision, the law on a subject of such great importance, which appears from some late trials not to have been generally and accurately known. In this work the author endeavours to shew, from the authority of statutes, that no consent of parties, followed by mutual acknowledgment; that no intercourse of the sexes in consequence of a promise of marriage, is sufficient to constitute a legal matrimonial contract; but that its legality must be determined by actual solemnization, according to the rites of the church. It is a fact, however, that the decisions of the court of Scotland, have for a long period past, supported the opposite doctrine: which decisions have been almost universally confirmed by the house of peers in England.

In pure Mathematics, we do not recollect any publication during the present year, which hath a claim on our attention. Among the productions of a mathematical nature, it would be unjust to overlook the "Tables of Interest, from One Pound to Five Hundred Millions for One Day; by which the Interest of any Sum of Money within those Limits, may be found with more Expedition than by any Tables hitherto published. By Thomas Hurry." These tables of interest, as far as we have examined them, appear to be accurate and correct; and to deserve the character claimed for them in the title page. To these succeed other tables, shewing the value of the parts of an hundred weight, beginning at one pound, at different prices, from 2s. to 2l. 4s. per hundred weight; the value of one hundred weight, and one tun, at different prices per pound, the decimal parts of a foot, with its use in computing the tonnage of ships, &c. which are equally deserving of recommendation.

Imison's "Compendium of Arithmetic; to which is added, the Art of Numbering by Numbering Rods, called Napier's Bones," is also a perspicuous and useful guide to an acquaintance with that art.

As Mr. Young's "Examination of the 3d and 4th Definitions of the First Book of Sir Isaac Newton's Principia," appears to have been entered into, from a total misapprehension of Sir Isaac's meaning where he speaks of the *vis Inertia* of matter, a particular account of it, if it could be intelligibly given, is unnecessary.

With respect to the "Elements of Tactics, and Introduction to Military Evolutions for the Infantry, translated from the original German, by J. Landmann, Professor of For-

tification and Artillery to the Royal Military Academy at Woolwich," we know not where we can with so much propriety introduce the mention of them, as in this department of our Register. These Elements were originally written by a Prussian general, whom the translator calls the Euclid of Tacicians. He begins his work with instructions for teaching a recruit; after which, he proceeds to detail the evolutions of a battalion; and, in the next place, those of a whole corps. Many of his rules and observations will be found clear and simple, and deserving of the attention of those officers who are desirous of more than a meer practical knowledge of their profession. These elements, and the lessons which they contain, are illustrated by plates, which are accurately and neatly engraved.

[When we turn our views on the publications of Philosophy of the year, we perceive, with pleasure, the objects of enquiry more numerous, and the essays more important. Another collection must be now added to our Domestic Literature, if the events of war will permit us to consider the second volume of the American Transactions lately published by that title. Yet we cannot forget our former connections; that the name of Franklin was once our own, and we wish to retain it. We may also add, that as it is published in English, we cannot with propriety look on it as a foreign work: we must, however, begin with our own collection.

Mr. Herschell, for Astronomy must begin with him, has enriched his favourite science with some new and important discoveries. The Georgium Sidus, remote, and scarcely perceived by the unassisted eye, he has found to be similar to the other planets, at a distance from the sun, in

in requiring the aid of satellites: two have been found attending him in his orbit; and we may suppose from analogy, that more may be discovered. But when we consider the distance of the planet, and the difficulty of procuring sufficient light in the instrument, it will be more surprising that two are discovered than that the rest should remain concealed. In our own satellite, he has made an important discovery, that there is a source of light independent of the sun. He calls the luminous spots volcanos, with great reason, and if a quibble can arise, it must be to the name. His sister "sweeps the heavens," and in one of these housewifely employments, she discovered a comet, which she describes. Her brother, so far as observations will permit, traces its path; and Mr. Woolaston has applied his new system of wires in observing it in August and September of 1786. Though it be not in the Transactions of our Royal Society, we may mention in this place, Mr. Hancock's "Astronomy of Comets," published in this year, which gives a general account, and a sufficiently exact one, for popular enquiry, of these excentric planets.

On the subject of Astronomy, we ought to mention Mr. Bigge's very accurate "Determination of the Heliocentric Longitude of the descending Node of Saturn," Kohler's "Observations on the Transit of Mercury, observed May 4th, 1786," at Dresden; and the observations of the same occurrence, at Petersburg, by M. Rumowski. Mr. Smeaton has also, in this annual volume of the Transactions, given an "Observation of the right Ascension and Declination of Mercury, out of the Meridian, near its greatest Elongation"; and Mr. Vince, by a method equally simple and exact, has calculated the

"Precession of the Equinoxes."

Astronomy owes somewhat also to the American philosophers. In their Transactions, we are indebted to Mr. Rittenhouse for some astronomical observations, as well as for some observations on a comet: The rev. S. Williams has given an "Account of the Transit of Venus over the Sun, as it was observed at Newbery in the Massachusetts's;" and Mr. Patterson has described an "Easy and accurate Method of finding the true Meridian, and thence the Variation of the Compass." To Mr. Rittenhouse we also owe some calculations on a meteor, which Mr. Page had described; and to Mr. Belknap, an accurate description of an Aurora borealis. The correspondents of the American Philosophical Society deserve also our attention. Mayer has inserted some "Astronomical Observations," in Latin, in this volume; and M. de Gräuchain some observations on a solar and lunar eclipse, in French.

In the Philosophical Transactions we receive an account of the method followed, in determining the relative situations of the Royal Observatories at Greenwich and Paris, a work of the greatest importance to astronomy and other sciences, and conducted in a manner which confers the highest honour on the abilities and attention of major-general Roy; no measurement of a similar kind, has hitherto, we believe, been carried on with so much accuracy; and the difficulties which have occurred, will point out the best methods of avoiding similar ones, in other works of the same kind, and add something to philosophical knowledge. M. Cassini de Thury asserted, without sufficient reason, that the longitude of the Royal Observatory at Greenwich, was not determined with accuracy; but this assertion has drawn from the

Astronomer

Astronomer Royal, an excellent dissertation, in which he has explained the foundation of the mistake, and shewed the exactness of his predecessor's computations.

In Meteorological remarks, the volumes, on either side the Atlantic, are very rich. Independent of the usual meteorological register, we find, in the Philosophical Transactions "a Description of a very extraordinary Set of Halos and Parhelia seen in North America" in 1771 by Mr. Baxter. These remarkable appearances, which would have seemed prophetic in a ruder age, were probably owing to local circumstances and effects merely optical. Mr. Bennet's account of a new electrometer, and of a doubler of electricity, to shew very minute changes in the electricity of the air, are of great importance. Electricity has contributed also, in this volume, to explain the very peculiar effects of a thunder-storm in Scotland, which Mr. Brydone has described, and Lord Stanhope explained. It was an instance of the returning stroke, which his lordship pointed out, and elucidated, in his Principles of Electricity. Mr. Moore's "Account of the Earthquake, August 11th, 1786," is also very curious, though it was not very considerable, or its influence extensive. Sir Benjamin Thompson's "Experiments made to determine the relative and variable Quantities of Moisture absorbed from the Atmosphere, by various Substances in similar Circumstances" should not be passed over without remarks and without commendation. Dr. For-dyce's experiment on heat furnishes little that was not known before.

In America, well established facts are still uncommon, and we envy the American philosophers the possession of so rich, and so fertile a field of discovery. The experiments of M^r.

Williams "on Evaporation, and the Meteorological Observations made at Bradfield, in New England," are of great consequence. Mr. Maddison, in a different part of America, has added to our knowledge of the weather, and the different states of the atmosphere. Of the more awful scenes of atmospherical convulsions, with which America abounds, we may perhaps attain good information. Dr. Perkin's "Conjectures (however) concerning Winds and Water-Spouts," and Mr. Oliver's "Theory of Storms and Water-Spouts," have not greatly instructed us; they looked for causes when they should have accumulated facts. Mr. Rittenhouse's "Explanation of an Optical Deception" and his "Solution of an Optical Problem," are not among the most successful efforts of deep investigation. This gentleman's "Account of some Experiments on Magnetism," and his "New Method of placing a Meridian Mark," are of somewhat more importance, because more applicable to use. Mr. Hopkinson's "Machine for Measuring a Ship's way," is of a still more practical tendency; and Bernard Roman's description "Of an improved Sea Compass," is extremely valuable. While Mr. Pownall, in his various voyages, has examined the "Currents of the Atlantic"; and in a separate publication given us his Hydraulic and Nautical Observations on the subject; the aged Franklin has not traversed the same course in vain. We receive, in the American Transactions, his letters to M^{le} Roi, on maritime subjects, where he has sometimes indulged in speculations, but more frequently instructed us by remarks of real utility and practical importance. Indeed the president, whether he directs the seaman, or defends, with his humble attendant Dr. Ruffon, to explain the

the Cause and Cure of Smoaky Chimneys"; whether from the box which held his magnets, he suggests the utility of a "Slowly sensible Hygrometer for certain Purposes," as to measure, for instance, the relative moisture of different continents, or describes "A new Stove for Burning Pit-coal, and consuming all the smoke;" he is in every office amusing and instructive: we read his various articles with real pleasure. But we must not dismiss the second volume of the American Transactions, without some remarks on the more miscellaneous philosophical articles, for those of a different nature must be reserved for their proper place. Mr. Hopkinson should receive his share of praise for his "New Method of quilling a Harpsichord"; Mr. Otto for his memoir "On the Discovery of America," though he detracts a little from Columbus's merit, by rendering it very probable, that the Western continent was discovered before the period of this navigator, who is said to have received information on this subject in Madeira; and the very scientific and valuable account of the process of the silk-worm by Mess. Hare and Skinner.

In other branches of philosophy, this year affords no very striking improvements. "Astrology and an Astrological Catechism" are not philosophical works; but what aid they do not borrow from credulity, rests a little on philosophy, though the prop is very insecure. "Thoughts on the farther Improvement of Aerostation" is nearly in the same predicament, for the spectacle has now lost its power of amusing. Mr. Cavallo's work "On Magnetism" is, however, valuable, for it contains the most important facts on this subject, and an abstract of the best systems, while it includes, in substance, his various papers in the Philosophical Trans-

actions, particularly the "Magnetical Experiments," in the volume of the present year. His opinion relating to the magnetical power of brass, is not generally admitted. We shall conclude this philosophical sketch with mentioning Mr. Kirwan's little, but very valuable work, an "Estimate of the Temperature of different Latitudes"; the volume though small, contains a number of well-authenticated facts, and the estimate is formed on a series of convincing reasoning, and accurate experiments.

The step is very inconsiderable from the condition of the earth, to its various appearances in different circumstances. Mr. Jefferson's "Notes on the State of Virginia," contain the outlines of a natural history of that province, sketched with a slight but a masterly hand. It contains a great number of very valuable remarks. The historian of North America might also derive much assistance from their Transactions, and read with some information, Mr. Belknap's description of the White Mountains in New Hampshire; white, from the snow collected in the ravines; a "Description of a remarkable Rock and Cascade on the West side of the Youghiogeny River," and a "Description of a Grotto at Swatara," by Mr. P. Miller. If we may trust Mr. Barton's Observations, on some parts of natural history, a separate publication, the historian, in pursuit of nature, will find traces of art. Many are pointed out in his pamphlet, which seem to show, that America, in some early period, was peopled by a race not less civilized than enlightened. On the other side of the Alleghany mountains alone, are these traces clear and indisputable; but they are sufficient to confound the dictates of profane historians, and to baffle the enquiries of the philosopher. At home, we

have

have done little, in enquiring into the state of the earth. "A Description of the Strata observed in sinking a Well, at Boston in Lincolnshire," occurs only in the Philosophical Transactions.

But if we have neglected the earth, we have carefully examined its inhabitants; nor have those of the sea been overlooked. Mr. Hunter's "Observations, to show that the Wolf, the Jackall, and the Dog, are of the same Species," were rewarded by the Royal Society with Copley's medal, and were inserted in the Philosophical Transactions. They are indeed curious, but not complete or conclusive: the same author's description of the structure and œconomy of whales, is exceedingly interesting, and shows, that if man is destined to rule on land, something which approaches to the human structure and œconomy, forms the ruler, though not the destructive tyrant, of the seas. In the American Transactions, natural history is not wholly unattended to: we find a description, by de Valois, of a pied negro girl and mulatto boy; of a worm in a "Horse's Eye," by Mr. Hopkinson and Dr. Morgan; while Mr. Gilpin more humbly attends on the annual passage of herrings, which he does not explain very satisfactorily, as his facts have as little foundation as his reasoning. Mr. Bryant's Account of the Electrical Eel, and Mr. Collin Flagg's Description of the Numb-fish, are of more importance, though they add little to what was before known.

If we descend from animated nature to vegetables, we shall find an accurate translation, by the Litchfield Society; of Linnaeus' Genera Plantarum, from Reichard's edition; and the botanist is assisted, in his first studies, by a useful elementary performance, "Principia Bo-

tanica," which would be still more valuable, if it were illustrated by plates. For particular plants, we must turn again to the Philosophical Transactions, where we shall find an accurate description of a new genus of plants, the cloranthus, whose only species bears a flower so small, that it has obtained the name of inconspicuous, by Dr. Swartz; and the best botanical account of the tree which affords the gum benjamin, a drug once of high value, that has yet been published, by M. Dryander. It is found at last to be a species of styrax. Another substance of great value, both in medicine and the arts, viz. borax, we have usually received from the East Indies, without any information relating to its origin. In the same volume we have the memoirs on the subject, which agree only in stating it to be the production of nature: in one instance where it is found dissolved in a lake, it seems to be crystallized by the cold, produced by the addition of snow: its acid occurs in a lake in Tuscany.

Whatever is added to the Natural History of Medicines, little new information has been received respecting their virtues. Dr. C. Smyth has repeated what Mercurialis told us of the effects of swinging; but we are informed, that other experience has not confirmed the very great virtues attributed to it. Buchan's "Cautions against Cold Bathing" are, with a similar servility, transcribed from other works. In America, Mr. Hugh Martin cured cancers by a particular powder, which, as Dr. Rush found, owed its virtues to arsenic; and Dr. Wright thought that he perceived peculiar antiseptic virtues, from the union of vegetable acid with sea-salt: Dr. Morgan, in his Medical History of the Red Bark, has chiefly transcribed what has been published on this subject in London.

These are the only articles which their Transactions furnish on the virtues of medicines. On diet, we have seen, in this Country, concise "Observations on the Nature of our common Food," transcribed, with little choice, and less discrimination, from different authors; an "Essay on the Virtues and Properties of the Ginseng Tea," which does not contain an atom of the ginseng: on the opposite side of poisons, we have received a plain but useful translation of Fontana's work, by Mr. Skinner, and some accurate "Observations" on the same subject, by Dr. Houston. Mr. Tickell has endeavoured to revive a medicine once in great repute. His "Concise Account of a new Chemical Medicine," relates to Hoffman's anodyne liquor, which he prepares with great exactness, and of whose virtues he speaks in no moderate language. If it be nearly so useful as he describes, it must be truly valuable.

Medicines of a different kind, which chemistry analyzes rather than prepares, are mineral waters. Dr. Smith has published some "Observations on the Use of the Cheltenham Waters;" but it has been objected, that his philosophy is of the corpuscular kind, now exploded; and that his encomiums are too much exaggerated. He has not added to our knowledge of their nature by an analysis. Another author on the subject of these waters, declares against the necessity of an analysis to understand the nature of their ingredients. Mr. Barker derives his knowledge from some kind of intuition, and defends it, by a separate pamphlet, entitled, "Observations on a late Publication on Cheltenham Waters."—Mr. Madison, in the American Transactions, has also given an imperfect analysis of what are called the Sweet Springs. In the more general chemical

works we perceive a great defect and what remains in this department, may perhaps be rather styled philosophical than chemical; but as performed with chemical agents and chemical operations, we have reserved it for this place.—In our last volume we mentioned Dr. Watson and Mr. Kirwan's analysis of hepatic air. In the Transactions of the present year, M. Hassenfratz has added to our knowledge of this subject, and shown, that sulphur may be dissolved in any kind of air; and that what has usually been distinguished by this term, is the solution in inflammable air. Sir Benj. Thompson, in the same collection, has given us some "Experiments on the Production of Dephlogisticated Air from Water with various Substances," in which he shews, that particular bodies immersed in water, have a great effect; and that much depends on light. In the opposite line of condensation, we must mention Mr. Keir's Experiments on the congelation of the vitriolic acid, which are in many respects extremely curious, as the acid must be of a particular strength for this purpose, and neither too strong nor too weak. Dr. Beddoes also gives an "Account of some new Experiments on the Production of Artificial Cold," where the cold produced is very considerable, and the operation is not complicated, or the ingredients expensive. The last chemical memoir, which we shall mention, is Dr. Blagden's, "On the Ancient Inks, and a new Method of recovering the Legibility of Ancient Writings." It is very correct and extremely useful in the disquisition and its application.

Chemistry, in the period which we treat of, has been well employed, in investigating the cause, and regulating the cure of the most painful diseases of the human body; we mean,

mean, gravel and gout. The author, a man of sound understanding, and original reflection, has published two editions of a "Treatise" on these diseases, differing from one another; but in the second he considers a peculiar acid as the cause, and proposes to destroy it by absorbents. We have heard much in its favour, from chemists and from practitioners; and, whether it be really a peculiar acid, or only the phosphoric, it is of great importance to enquire how far an antacid diet, and absorbent medicines, may be of service in preventing the fits, without injuring, in other respects, the constitution. As this work does not propose a quack remedy, it will not, probably, excite Dr. Adair's resentment, who, in the second edition of the "Medical Cautions," pursues the quacks, and particularly Mr. Tickell, whose merits, and whose character, are of a very superior kind, with unrelenting severity: he has been, in his turn, attacked by Dr. Freeman, one of this respectable tribe. This same anti-empiric has published "a Philosophical and Medical Sketch of the human Body and Mind," in which he explains, with some perspicuity, the outlines of the human system. A work of much greater consequence in this department, is Dr. Hunter's Collection of his Essays published at different times, under the title of "Observations on different Parts of the Animal Oeconomy." This collection, which contains some Essays not before printed, either as illustrating the physiology of man, or of animals, is very interesting and curious. The same author has lately read to the Royal Society, and it is published in their Transactions of this year, the account of "An Attempt to determine the Effect of extirpating one Ovary, on the number of Young produced." The experiment was made on swine, and it

appeared probable, that it had some effect on the number of each litter; but its chief operation was on the duration of the breeding season. It is a little remarkable, that, in the same volume, we meet with an extraordinary account of a very prolific birth, which is equalled only in the Medical Records in Paris; and, in both instances, the husband was declining in a chronic disease. Dr. Garthshore's Collection of Cases of a numerous Offspring in distinct Births, occasioned by this fact, is very important. In the Practice of Midwifery, we have received much information from Dr. Denman's "Aphorisms on the Application and Use of the Forceps in preternatural Labours;" his "Essay on Natural Labours," and "on Uterine Hæmorrhages."—It is but justice to add, that no practitioner should be unacquainted with these short, but valuable treatises. Dr. Leake's "Syllabus on the Theory and Practice of Midwifery," may be mentioned as one of the publications of this year; but, from its nature, it must be short; and, in other respects, it is not very promising. Dr. Smellie's Tables have been considered always as valuable; and we are pleased to see them republished, with explanations, it is said by Dr. Hamilton. They are useful illustrations of the subject which we are treating of. In the consequence of child-birth, we have received some assistance from Dr. Wailsh's "Practical Observations on the Puerperal Fever;" and Mr. Mantell's "Short Directions for the Management of Infants," contain some judicious remarks on the conduct necessary to be observed in that helpless state. It is enough to mention Mr. Rymer's "Physiological Conjectures concerning certain Functions in the Human Oeconomy, in the Fœtus and Adult."

In other branches of Surgery, we

see nothing of very great importance. Mr. Bell has published the fifth volume of his "System;" Dr. Kirkland; the second volume of his "Enquiry into the present State of Medical Surgery." The first is a valuable collection from other authors; and the second distinguished by the peculiarities of the first volume, by an extensive acquaintance with medical and surgical authors, as well as by experience and good sense. Water's "Remarks on Ophthalmia and Phoropthalmia" are of some practical importance; and Jackson's "Observations on the Inefficacious Use of Irons in Cases of Luskion and Dislocation of the Ankle Joint," which are to be followed by a detail of his own method, can only be appreciated by examining their comparative advantages.

The *Lues Venerea*, and Dr. Hunter's Treatise on it, has occasioned a pretty sharp controversy. Mr. Hunter's work has been attacked with a violence which leads to suspect personal dislike rather than a professional difference of opinion, to be its foundation, by Mr. Jesse Foot, a name of no great rank in Surgery; and whose efforts are not augmented by the "Observations on the New Opinions of J. Hunter." He has been "answered" by Mr. Bradd, and "reviewed" by Mr. Trye. On similar subjects, we have Perry's "Essay on the *Lues Venerea*," a work of little importance; and a more useful "Essay on the Gonorrhoea virulenta," by Mr. Clubbe.

By anticipating the account of publications, on the practice of physic, we have diminished a catalogue which was not, before, either extensive or important. Dr. Brown, the Bruno of his sect, has published a new edition of his "Elementa Medicinæ;" and lest that should be unintelligible, we have received a partial

translation of, and a commentary on it, under the title of "Observations on the old System of Physic, exhibiting a Compendium of the new Doctrine, by a Gentleman conversant on the Subject." He could not with propriety have said on either subject, for he seems to know little of the old doctrine. But he is hastening to oblivion, and we have no temptation to draw him back. Dr. Barrett's "Treatise on the Gout," we shall refer to Dr. Adams, for it is designed to recommend a quick medicine; and even Mr. Perfect's "Cases of different Species of Insanity," though sufficiently candid in the narrative, are a little suspicious, when we reflect that he superintends a private lunatic asylum. Mr. Harrison's "Observations on the Cure of the Dry Belly-ache" are designed to recommend a nostrum for worms, and show that he is little acquainted with the disease, or its termination in palsy. The "Narrative of the Efficacy of the Bath Waters" in these and more general pallies, is extracted from the records of the Bath Hospital, with great fidelity, and strongly evinces the utility of this remedy. Dr. Rush, in the *American Transactions*, has given a good "Essay on the Causes and Cure of Tetanus, chiefly adapted to warm Climates, with Remarks on the Causes which produce Diseases in new raised troops." His "Enquiry into the Causes of the Increase of Bilious and Remittent Fevers in Pennsylvania," though seemingly of local importance, is generally useful. On the subject of periodical diseases we ought also to mention M. Testa's two learned and accurate volumes "De Vitalibus Agrotantium Periodis." Though the author is an Italian, these volumes are properly an English publication, and are highly creditable to him. We must also mention

mention Dr. Parkin's "Essay on a nosological and comparative View of the Cynanche Putrida," though he adds little to our knowledge of the treatment, and Dr. Hamilton's "Remarks on the means of obviating the fatal Effects of the Bite of a Mad Dog," which chiefly depends on cutting out the part, before the poison is absorbed. It is a pleasing consideration to reflect, that its absorption is not immediate; but that there is a sufficient time left to decide whether the dog is really mad, and to procure the best assistance, which science or which art can afford.

Of the absorbents, we have an accurate and valuable treatise, by Mr. Cruikshanks, illustrated by a plate of their distribution over the whole body. The description is complete, and the physiological part very exact. Of other branches of Anatomy we have received no accounts. We can hardly call the "Art of making Anatomical Preparations," described by Dr. Morgan, in the American Transactions, an art sufficiently understood, to the extent it is carried in that paper, an anatomical work. The partridge with two hearts, in the same collection, can scarcely be styled even curious, till the facts are more accurately ascertained. Mr. Hunt's "Observations on the Circulation of the Blood," in which the action of the heart is particularly considered, though less strictly anatomical, is of more real importance.

Of the miscellaneous works the list is also small. Dr. Duncan continues the "Medical Commentaries," and has this year published the first volume of the second deced, a distinction which he has borrowed from the *Leipsc Commentaries*. We have received also the first volume of a new work, entitled, "Memoirs of the Medical Society of London, which, as a specimen, is not very

promising, since it contains few facts of curiosity or value.]

In turning to the next department of literature which claims our attention, the first work of importance that presents itself is, "The History of Great Britain, from the Revolution in 1688, to the Accession of George I. translated from the Latin Manuscript of Alexander Cunningham, esq. Minister from Great Britain to the Republic of Venice, by Dr. William Thompson; and published by Dr. Hollisberry, archdeacon of Chichester." We are informed, in an ingenious introduction drawn up by the translator, that Mr. Cunningham was peculiarly qualified for such a work from his intimate acquaintance with the principal characters among the statesmen and heroes of the times which he describes; his confidential connection with the English ministry during a considerable part of the reign of queen Anne; and a remarkable penetration of mind, which enabled him to make the most advantageous use of his situation and opportunities. In the first book the author enters into a recapitulation of the state of affairs in England and on the Continent from the death of Cromwell to the death of Charles the Second. The remaining part of this work is chiefly employed about the public transactions during the reigns of King William and Queen Anne, which were distinguished by some of the most interesting and splendid events in English History. Mr. Cunningham's manner of writing is peculiar and original: but if not strictly conformable to the rules of historical writing, it is, nevertheless, entertaining and instructive. His account of the religious controversies, and of the debates in both the

English and Scotch parliaments, on the subject of the union, is distinct and perspicuous; and his descriptions of military transactions are remarkably lively and interesting. Many of the facts and anecdotes which he relates are such as have escaped all other historians, and will be found to throw considerable light on the period to which they relate. In delineating the manners of the times, and in describing the intrigues of courts, his style and manner are peculiarly excellent. Sometimes, indeed, he indulges himself too much in invective against such individuals as were the objects of his dislike; and is unjustifiable in his sarcasms on the clergy and the fair sex. On the whole, however, Mr. Cunningham's History is a valuable addition to our stores of information, and sources of amusement. With respect to the translator, he hath executed his task, in general, with much fidelity and credit; though occasional instances occur, in which he has mistaken the meaning of his original, or expressed it in terms that are inelegant or provincial. These errors merit the attention of Dr. Thompson, and will, doubtless, be corrected by him in future editions of this work.

From "The History of Mexico; collected from Spanish and Mexican Historians, from Manuscripts and ancient Paintings of the Indians; by Abbe D. Francesco Savario Clavigero, translated from the original Italian, by Charles Cullen esq. in 2 vols." we have received much information and entertainment. The Abbe, who is a native of Vera Cruz, resided thirty-six years in the provinces of New Spain; acquired the Mexican language; collected their traditions, and studied their paintings; on

these accounts he possessed singular advantages for writing the history before us. The first volume of this work contains the natural and civil History of Mexico, to the time of the Spanish invasion, by Cortes; and an account of the manners, customs, and antiquities of the inhabitants. This account is exceedingly interesting, and is diversified, throughout, by a variety of entertaining incidents and anecdotes. In the second volume we have the author's relation of the first voyages of the Spaniards to this part of America, and of the expedition and conquest of Cortes; in which he rejects the marvellous and fictitious stories which have disgraced the pages of many former historians, and confines himself to unquestionable facts. To this volume the abbe has added nine dissertations on the land, the animals, and the inhabitants of Mexico; which are intended to confirm what he had before advanced on its natural and civil history, and to guard his readers against the errors and misrepresentations of several modern authors. This work we recommend as containing the most authentic and valuable account of that extraordinary people, who, though surrounded by savage and barbarous nations, had, by their own efforts, arrived at an astonishing pitch of knowledge and civilization; and who presented the noblest and most curious spectacle to the discoverers of the new world.

"The History of the Turkish or Ottoman Empire, from its foundation in 1300, to the Peace of Belgrade, in 1740, translated from the French of Mignet, by A. Hawkins, Esq. in 4 vols." is chiefly drawn from the sources which our best European authors supply; to which have been added a translation

tion of some modern Turkish Annalists, and the remarks and observations of Baron de Tott. The three first volumes comprehend the events from the commencement of the Ottoman empire, to the death of Solyman II. in 1691. The fourth volume continues the history of the Turks to the year 1740. As a history, this work is principally valuable for the clearness of the arrangement, and the accuracy of the relations. But if we except the characters which he draws of the respective emperors, we meet with none of those episodes which relieve the mind from the fatigue occasioned by a long continued narration. This however, must be attributed, in a great measure, to the barrenness of our author's subject. As a simple and impartial relation of facts, it will prove an acceptable substitute to the English reader for the voluminous compilations to which he has usually been referred for a knowledge of Turkish History.

Grellman's "Dissertation on the Gypsies," translated from the German, by Matthew Raper, Esq. F. R. S. and A. S. is the first regular and circumstantial account of that extraordinary people, which we have met with. The Gypsies are a singular phenomenon in Europe: whether we contemplate their habitations, attend at their meals, or only look in their faces, they always appear particular. For the space of between three and four hundred years they have gone wandering about, through civilized as well as rude countries, a distinct and separate people, on whom neither time, climate, nor example have made the least alteration. This ingenious Dissertation, which comprehends in a connected form, what had before appeared on the

subject, in detached pieces, is divided into two parts. In the first, the learned author gives an account of the dispersion and number of the Gypsies in Europe; the properties of their bodies; their food and dress; their family oeconomy, occupations and trades; their marriages, education, and funeral rites; their political regulations, language, sciences, and arts. In the second part of this dissertation, we are presented with an enquiry into the origin of this people; in which the author considers the different opinions of former writers on the subject, and endeavours by a variety of arguments to establish his own hypothesis, that they come from Hindostan. Without hastily deciding on a question so curious and difficult, we think that the author's reasoning carries with it considerable force, and that it will require much ingenuity and learning to refute it. But it is from the first part of this work that we have received our principal entertainment; especially from Mr. Grellman's Enquiries into the Character and Capacities of the Gypsies. Mr. Raper's translation may possess the merit of fidelity, but we cannot allow it any claims to elegance.

Whitaker's "Mary Queen of Scots vindicated," in 3 vols. is an arduous attempt to throw light on a very important, but a very obscure period of history. Mr. Goodall, Mr. Tytler, and Dr. Stuart had preceded our author in the same design: but his labours are more closely confined than theirs were, to an examination of the Letters and Sonnets said to have been written by Mary to Bothwell, with an investigation of a few of the circumstances relating to the death of Darnly, and the Queen's marriage with Bothwell. Mr. Whitaker

her begins this work with an historical Account of the Commission instituted, first at York, and afterwards at Westminster, for enquiring into the grounds of the differences subsisting between Mary and her Subjects; in which he fairly convicts Elizabeth and her ministers of the most infamous duplicity and partiality. In the next place he proceeds to consider the Letters said to have been written by the Queen to Bothwell; when he subduces the evidence of their being forgeries, fully and satisfactorily. He is equally successful in overturning the authenticity of the Sonnets, and the pretended conversations between Mary and Bothwell. We cannot, however, agree with our author in all the circumstances of this vindication; and we think him injudicious in not contenting himself with exculpating Mary from the most weighty and material charges which had been brought against her, and in insisting so strongly on the wisdom and prudence of her character. The abilities and acuteness of Mr. Whitaker in historical controversy, have been long known and acknowledged. And in the publication before us he supports his credit for ingenuity and industry; though we think that his arguments are unnecessarily amplified and extended. His style is tedious and declamatory; and his language is frequently rendered disgusting by the introduction of bombastic and affected expressions, which are inconsistent with the chastity and dignity of historical writing. We are sorry to observe such imperfections in a work of undoubted and sterling merit, as they render it less acceptable to general readers, and even serve only to perplex and confuse the philosophical enquirer.

In a new edition of his history of Scotland, Dr. Robertson has presented the public with "Additions and Corrections to the former Editions;" which are also published in a separate form, for the benefit of those who are already possessed of that valuable work. In this publication our author, after a candid attention for twenty-eight years to the remarks of his friends, and the strictures of those who entertained different sentiments from himself, maintains his former opinion respecting the transactions which took place during the reign of Queen Mary; which he supports with new evidence, collected from different papers in writing and print, to which he has lately had access. Notwithstanding our own persuasion, which we freely declared in the preceding article, it would be injustice not to say, that his arguments are powerful and striking; and that the opinion of the Duke of Norfolk, which he expressed not only in his public official letters, but to his most confidential friends; is urged by him with peculiar force.

The "History of the Internal Affairs of the United Provinces, from the year 1780, to the commencement of Hostilities in June 1787," is the production of a sensible and well-informed writer, on a subject which is no less complicated, than it is interesting and important. After giving a concise and perspicuous account of the constitution of the republic, our author leads us to an acquaintance with the different parties into which it was divided, and the respective views of each. Of these, and of the different transactions during the period under consideration, he appears to be a judicious and faithful historian. How far his readers

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may agree with him in his political speculations, will depend, in a great measure, on the creed which they have adopted. Our author's principles lead him to wish well to the democratical influence. And whether they are just or not, cannot be determined by the prevalent opinion, by the imaginary interests of this country, or by the events which have taken place during the latter part of the year, but by an appeal to truth and reason.

The "Defence of the Stadtholder-ship; with a Review of the pernicious Consequences that have attended the Alliances and Connections of the United Provinces with France, &c. by John Andrews, L. L. D." contains, likewise, a short history of the seven United Provinces; of the circumstances which point out the necessity of supporting the office of Stadtholder; and of the origin, progress, and present state of the Louvestein, or French party; which is drawn up with much liberality and good sense, though the author entertains very different views from those attributed to the last mentioned writer.

Mr. Hamilton's "Historical Relation of the Origin, Progress, and final Dissolution of the Government of the Rohilla Afghans, in the Northern Provinces of Hindostan," is a curious and interesting account of a people, who have, of late, engaged much of the attention of the English nation. The materials for this work Mr. Hamilton derived from a Persian manuscript, and other papers which he procured from the confidential secretary of the Rohilla chief, Fyzoola Khan. These materials he had arranged and translated into English, ten years ago; but was prevented from publishing them, by reasons of delicacy, which, he imagines,

do no longer exist. Without suspecting the impartiality of his views, in this publication, we think that his observations throw considerable light on the state of India under the government of the Mahomedans; but must leave his readers to estimate the merits of the narrative part, from the authenticity and credit of the papers to which he refers in support of it. The style and language of this historical relation do Mr. Hamilton no discredit.

Colonel Fullarton's "View of the English Interests in India, &c." contains many well-written observations on the extent, and local circumstances of the English possessions in that quarter of the globe; from which much useful information may be derived. His narrative, also, of the operations of the army under his command, and the hints which he suggests for the improvement of the military system and discipline, are such as reflect honour on his professional character. But whether the gloomy picture which he draws of declining agriculture, trade, and population in that country, is taken from nature, we will not take it upon ourselves to determine. But with respect to his observations on the mismanagement of the executive power, and the measures which he recommends for attaching the great body of the natives to the English cause, they are certainly deserving of the attention of government.

In the "Remarks upon Colonel Fullarton's View of the English Interests in India, by an Officer late in the Company's Service in Bengal," the observations of that writer respecting the general state of that province, and the military arrangements there, are warmly contested. In other respects this anonymous

anonymous author coincides in opinion with the colonel, and recommends the improvements which he would have introduced in the military departments. How far our author or colonel Fullarton is to be justified, in the opposite and contradictory accounts which they give of the state and situation of Bengal, must be decided by collateral testimony.

"The History of the Revolution of South Carolina, from a British Province, to an independent State, by David Ramsay M. D. Member of the American Congress," is a work which is deservedly entitled to our approbation and praise. To the following declaration of the author we give full credit, that "embracing every opportunity of obtaining genuine information, he has sought for truth, and that he has asserted nothing, but what he believes to be fact." The events which took place in South Carolina, which was the scene of action during a considerable part of the American war, are related by him in an intelligent and candid manner; his reflections are manly and philosophical; and the style of his composition is always correct, and often animated.

Lieutenant Colonel Tarleton's "History of the Campaigns of 1780 and 1781, in the Southern Provinces of North America," commences with d'Estaing's attack on Savannah, in the autumn of 1779, and proceeds to give a minute detail of military operations, untill the surrender at York town and Gloucester. Exclusive of what may be learnt from the official letters of the British, American, and French officers, and a compilation of the accounts given in different periodical publications, of which the public are already in possession, we scarcely meet with any infor-

mation in this work. The author's evident intention is to vindicate his own character as an officer, with regard to the issue of some unsuccessful engagements, and, particularly, that fatal one at Cowpens. In doing this, we think him too tedious and laboured in reciting his own particular merits and services; and too free in censuring the conduct of Lord Cornwallis and Lord Rawdon. The observations which are properly his own, are frequently delivered in a lively and spirited manner: but the justice of them hath been called in question by military critics; and the accuracy of the narrative part strongly contested both by American and English historians.

Among the American historians, Dr. Ramsay's representations, on every important military transaction, continually contradict him. And among the British officers, who served in the same army, and who were present at the same actions, Roderick Mackenzie, late Lieutenant of the Seventy-first Regiment, has published very severe "Strictures on Lieutenant Colonel Tarleton's History." These strictures rescue from oblivion the names of many gallant officers, of whose superior merits, Colonel Tarleton had neglected to make the least mention; and, in a manly and pointed style, expose his vain-glorious endeavours to establish the credit of his own military achievements. Nor is our author sparing in his remarks on his errors and misrepresentations. These he detects, in the true spirit of military criticism; and with a warmth and animation of language, that would seem to be dictated by a love of truth, and the resentments of offended honour. To these strictures Mr. Mackenzie has added a detail
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of the siege of Ninety-six, and an account of the recapture of the Island of New Providence.

The translation of Captain Tielke's "Account of some of the most remarkable Events of the War between the Prussians, Austrians, and Russians, from 1756 to 1763, &c. by captains C. and R. Craufurd," is a publication that will be particularly acceptable to gentlemen of the army. Captain Tielke sustains the first rank among writers on military tactics. His present work, which in the original consists of six volumes, is not intended to deliver a connected history of all the events of that seven years war; but to record the account of such campaigns, and particular actions, as may afford the author examples of his military maxims; and enable him to illustrate a "Complete Treatise of every branch of Field-Fortification, combined with, and adapted to the Principles of Tactics." The volume before us, which is the only one yet translated, contains the author's detail of the affair of Maxen, in which general Fink with an army of 15000 men was obliged to surrender prisoner of war to the army of the empire; with his account of the different plans of defence which might have been adopted. The observations of Mr. Tielke, and the rules and examples by which he illustrates them, as far as we are capable of judging, appear admirably adapted to convey knowledge and instruction to the military student; and they afford real and important information to the future historian. The translators, likewise, appear to have done justice to their original; and to be equally liberal and accurate in the elegant engravings which accompany this volume.

In Biography, the first publication which attracts our notice is "The History of the Lives of Abeillard and Heloisa; with their genuine Letters, from the Collection of Amboise. By the reverend Joseph Berington." The subjects of this history were distinguished for their accomplishments, and their misfortunes; and have been celebrated not only by the pen of the Historian, but in the song of the Poet. But both their characters have been represented in a false and injurious light; and, especially, that of the generous and amiable Heloisa. It was with a view of vindicating their fame, and of drawing a just portrait of those "great and conspicuous personages, who had commanded the attention of the age, and whose virtues their contemporaries even had been careful to celebrate," that Mr. Berington sat down to this history. This task he has executed with much spirit and success. His recourse has been to the best authorities, with the aid of which he has composed such memoirs of the unfortunate lovers, as are exceedingly curious and interesting. But our author's labours are not confined to this object. By giving an account of the literature of the age, of the public transactions, and of the most remarkable characters who flourished in it, he has thrown considerable light on a very dark period of ecclesiastical history. This work, in general, discovers much acuteness and justness of thinking. Notwithstanding the author's attachment to the principles of the Roman Catholic religion, "he is unshackled in his thoughts, and free in his expressions." His style is lively and animated; and frequently, though not uniformly, elegant. We sometimes meet with

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words and phrases that are exceptionable in the judgment of sober criticism. But these faults, into which Mr. Berington has been betrayed by the ardour of his imagination, are trifling and insignificant when opposed to the general merits of his history. We are happy to learn, from the preface to this work, that our author intends to continue his history through the brilliant and important periods which succeeded to the age of A-beillard.

"The Life of Samuel Johnson, L. L. D. By Sir John Hawkins, knight," consists of a vast mass of heterogeneous matter, from which it is no easy task to separate the parts which properly belong to the hero of the story. Beside the life of Johnson, our author has entered into a number of tedious digressions, in which he has introduced an account of all his contemporaries of whom he had any knowledge, and various unconnected fragments of criticism, politics, and legal decisions. With respect to Johnson's life, Sir John has added little, if any thing, to the information of which we were before possessed: and, we are sorry to observe, that he has shewn no more tenderness, no more justice to the memory of his friend, than any of his former biographers. From many of the anecdotes respecting the contemporaries of Johnson, and the literary clubs of which he was a member, we have received considerable entertainment. But we have been disgusted with the unjust and rancorous abuse which he has wantonly poured on several excellent characters, whose names and merits will not soon be forgotten. Of the Knight's critical powers, the specimens which we have in the volume before us do not lead

us to entertain the highest estimation; and the opinions which he delivers on the subjects of politics and morals, are too crude and dogmatical to receive our implicit assent. On the whole, though this miscellaneous composition abounds in materials and facts which may prove of use to the patient historical enquirer, it is too complex, irregular, and inelegant, to please the general reader, or to insure its author even a moderate share of celebrity.

Dr. Disney's "Memoirs on the Life of Dr. John Jebb," which he has prefixed to a collection of his works, is a just and becoming tribute from the author to the memory of his deceased and excellent friend. Dr. Jebb's life was distinguished by the most zealous efforts in the cause of truth, and an undaunted attachment to the civil and religious interests of mankind. To these he made such sacrifices as afford ample and unequivocal testimony to the integrity and uprightness of his views. The biographical account before us, appears to be faithful and impartial. It contains a plain and accurate relation of the events of his useful and amiable life, "and on this basis rests his reputation." The memoirs of Dr. Jebb will be read with pleasure even by those who entirely disapproved of his theological and political sentiments: and the thanks of the public are due to Dr. Disney, for the authentic particulars which he has communicated of so respectable a character.

Mr. Pugh's account of "Remarkable Occurrences in the Life of Jonas Hanway, esq. &c." is a performance the perusal of which has afforded us much pleasure and entertainment. It is divided by the author into three parts. In the

the first part, Mr. Pugh has given an abridgment of Mr. Hanway's travels into Persia; a work too well known and received to stand in need of any of our encomiums. The second part contains an account of the various public concerns in which Mr. Hanway displayed uncommon activity and public spirit, and a degree of philanthropy and benevolence, of which we have but few examples. In the third part we meet with the author's delineation of the character of Mr. Hanway, and his manner of living; which is accompanied with a number of anecdotes that will be found honourable to his memory, and entertaining to the reader. Mr. Pugh, who has executed his work in a pleasing and interesting manner, appears to have been peculiarly qualified to become the biographer of Mr. Hanway, as he had resided under his roof from his earliest youth, and was admitted to his intimacy and friendship.

"The Life of Scipio Africanus, and of Epaminondas; intended as a Supplement to Plutarch's Lives; now first translated into English, from the original French of the Abbe Seran de la Tour, by the rev. R. Parry," is a well written and agreeable piece of Biography, which was originally published so far back as the year 1739, and which we are glad to recognize in an English dress. Scipio and Epaminondas were two of the most illustrious characters in antiquity: and the sources whence our author derives his information respecting them, are the most authentic Greek and Roman historians. In availing himself of their aid to form a regular connected history, as well as in his observations and reflections, our author has discovered considerable taste and judgment; and his de-

scriptions are frequently animated and interesting. He, likewise, has the merit of relating many circumstances concerning those heroes, which are but little known. The translation is, in general, executed with fidelity; though we meet occasionally with colloquial barbarisms, and with forms of expression inconsistent with the idiom of the English language.

"The Life of M. Turgot, Comptroller-General of the Finances of France, by the Marquis de Condorcet, translated from the French," contains a warm panegyric on that able minister, and an accurate view of his political speculations and opinions. This work is a curious and learned performance; composed by an author of extensive knowledge and abilities; and relating to a character eminently distinguished by an enlightened comprehensive mind, and an indefatigable zeal in the public service. And what renders it the more valuable is, that the marquis has not confined himself to a detail of the virtues, opinions, and plans of M. Turgot, but has enriched his narrative with his own sentiments and thoughts on the subjects of government and finance. These will be found far too just and liberal to be approved by the supporters of despotism and bigotry; they are more congenial to the opinions and reasonings of Englishmen.

In Monke's "Life of Voltaire," we have a translation of a work which has been ascribed to the Marquis de Villette, who married Mademoiselle de Varicourt, the adopted daughter of M. de Voltaire. Although it may admit of some question whether this work be the actual production of the nobleman just mentioned, there is every reason for concluding that

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he furnished the materials for it; and that these are genuine and authentic. This publication, however, does not supply us with many new circumstances relating to the philosopher of Ferney. What is most curious in it is, the detail of his behaviour in his last moments; which differs materially from all the former accounts which have been laid before the public. We have, on a former occasion, lamented, that not one of the biographers of Voltaire has devoted any part of his labours to counteract the mischief to religion and morals, which many of his writings have a tendency to produce. In this respect the writer before us possesses no recommendations which give him any superiority to those who have preceded him.

The "Memoirs of Mr. Henry Masters de la Tude," contain a very singular and interesting narrative of the confinement of the author, for thirty-five years, in various state prisons of France; and of the stratagems which, at different times, he successfully adopted in order to effect his escape. Notwithstanding that several of the circumstances related in these memoirs are so very extraordinary, as to seem to border on the marvellous and incredible, we have no just reason for doubting the veracity of the author. His story is related in a manner that is peculiarly simple and engaging, and will be found highly gratifying to the curious reader.

Under the head of Antiquities we meet with a curious and valuable publication in a collection of "Original Letters, written during the reigns of Henry VI. Edward IV. and Richard III. by various Persons of Rank or Consequence, with notes Historical and Explanatory, by John Fenn esq. M. A. and F. S. A. in two vo-

lumes." These Letters were most of them written by, or to, particular persons of the family of Paston in Norfolk, from which they came into the possession of the earl of Yarmouth. Afterward they became the property of that great collector and antiquary, Peter le Neve, esq.; from him they descended to Mr. Martin, and were a part of his Collection purchased by Mr. Worth of Diss in Norfolk; from whom, in 1774 they came to the editor. The period to which they relate, was remarkably turbulent and distracted; and is, perhaps, less illustrated by historical documents, than any other period since the Norman Conquest. "Whatever, therefore," says the editor, "tends to throw a gleam of light on so clouded an horizon, must be a grateful present to those who would investigate their country's story; and when we have despaired of recovering any important documents of those disastrous times, the slightest relics of so obscure a season may seem almost as precious as the better preserved remains of periods fully illustrated." As we find ourselves under no difficulty in subscribing to Mr. Fenn's observation, we do not hesitate in adding, that the public thanks are due to him, for his industry in arranging chronologically, and in translating into modern language this interesting collection, which will not only gratify the curiosity of the antiquary, but contribute to the information of the historian. It were to be wished, that other gentlemen of independent fortune, and especially the owners of estates which formerly belonged to religious houses, stimulated by the example of the editor, would suffer their collections of family papers to be examined by persons qualified for the undertaking. By these means many new and interest-

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ing events in history might be brought forward to view; and much information be obtained concerning important circumstances, of which our knowledge is exceedingly circumscribed and imperfect. The work before us is enriched with a number of engravings of portraits, autographs, paper-marks, and seals.

"A Collection of Original Royal Letters, written by King Charles the First and Second, and the King and Queen of Bohemia; &c. by Sir George Bromley, bart." will also prove an acceptable present to the students in biography and antiquities. The letters in this collection came into the possession of Sir George Bromley in consequence of his being descended from Ruperta, a natural daughter of Prince Rupert, third son of Frederic king of Bohemia, and nephew to Charles the First, king of England. Many of these letters are written in French; others in English; a few in Italian; and some in German. We do not, however, find in this collection much information respecting public transactions. Their principal value consists in the delineation which they present to us of the private character of several illustrious individuals, and in the means which they afford us of ascertaining the motives of several of the principal actions in which they were concerned. To this collection the editor has prefixed a short but interesting account of the Palatine family, in order that the circumstances peculiar to them, and which are referred to in the letters, may be the more intelligible to the reader. This volume is ornamented with portraits of Prince Rupert, the Queen of Bohemia, Ruperta, and Emanuel Scrope Howe, esq. which are executed in an elegant and masterly manner.

The eighth volume of "Archæ-

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ologia, or Miscellaneous Tracts relating to Antiquity, published by the Society of Antiquaries of London," like all the former collections by that learned body, contains many valuable and entertaining papers. If from the numerous articles of which it is composed, we were to select such as have particularly engaged our attention, we should mention a sketch of the asylum or sanctuary, from its origin to the final abolition of it in the reign of James the First, by the rev. Samuel Pegge; Mr. Willis's essays on the Ikeneld-street of the Romans; the account of the discoveries made in digging a sewer in Lombard-street and Birch-lane; observations on the antiquity of card-playing, by the hon. Daines Barrington, the rev. Mr. Bowle, and Mr. Gough; Mr. Ledwich's observations on our ancient churches; Mr. Pegge's circumstantial detail of the battle of Lincoln, A.D. 1217; the account of Brimham rocks in Yorkshire, by Hayman Rooke esq. Mr. Macneil's detail of the caves of Ambola, Canmara and Elephanta, near Bombay; and Mr. Topham's historical and descriptive account of an ancient painting. To this volume there is also added an appendix, consisting of selected miscellaneous matter, and a list of presents and publications.

To the numbers of the "Bibliotheca Typographica Britannica," which have already been published, ten more have been added during the present year. Of the subjects of these Numbers we shall endeavour to give as distinct an enumeration as the nature of our work will admit of. They consist of an historical description of the Zetland islands, from a manuscript of the late Thomas Gifford of Buxa, esq. the history and antiquities of Ber-

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well Abbey, and Sturbridge fair; the history and antiquities of the parish of Lambeth in the county of Surry; the history and antiquities of the town, college, and castle of Fotheringay, in the county of Northampton; a sylloge of the remaining authentic inscriptions relative to the erection of our English churches, by the rev. Samuel Pegge A. M. the history and antiquities of Rhadigund's or Broadsole abbey near Dover, accompanied with a collection of tradesmen's tokens issued in the Isle of Thet, and the Kentish cinque ports; a description of some ancient buildings and monumental stones in Kent, and a dissertation on the Urbs Rutupia of Ptolemy, and the Lunden-Wic of the Saxons; by the rev. James Douglas, F. S. A.; the history of Aston Framville and Burbach, including the hamlets of Sketchnley and Smockington, and the granges of Leicester and Hoveston in the counties of Leicester and Warwick &c.; an historical account of the parish of Odall in the county of Bedford; an Appendix by Mr. Priddon, to the history of Reculver and Herva; and an Appendix to the history of Croydon, with a list of the manerial houses which formerly belonged to the see of Canterbury, a description of Trinity-house Guildford, and brief notes on Battersea, Chelsham, Nurfield, and Tatsfield in the county of Surry. From these stores the antiquary and topographical historian may promise themselves abundant information and entertainment. And from the pleasure which we have received on the perusal of them, we may safely predict that their most sanguine expectations will not be disappointed. In Nasmith's edition of Tanner's *Notitia Monastica*, contains several valuable additions

to the former impression of that excellent work; and some alterations in the arrangement of it, which are advantageous and convenient. The additions consist of accounts of religious houses not noticed in the former editions; and of references to books and manuscripts illustrating the text. The principal alteration in the arrangement of it, is made by placing the several articles in each county in alphabetical instead of chronological order, by which means the reader is able to comprehend in one view the accounts of all the religious houses that were in the same city or town. Mr. Nasmith, beside the easy access which he had to many valuable libraries, which he seems to have consulted with great care and assiduity, was favoured with Dr. Tanner's own copy of the *Notitia Monastica*, containing many manuscript notes and observations in the margin; and a copy which had belonged to that eminent antiquary the late rev. Wm. Cole; which copy is deposited in the university library at Cambridge.

The *History of the Antiquities of the Town and Church of Southwell, in the County of Nottingham*, by W. Dickinson Rastall, A. M. is a publication which does much credit to the abilities and diligence of the author; and which is ornamented by many superb and elegant engravings. This work is divided into six chapters. In the first, the author examines into the state and history of Southwell during the time of the Romans, and while it was in the hands of the Saxons; and points out the changes which it has undergone to the present time. In the second chapter Mr. Rastall enquires into the constitution of the church at Southwell. The three following chapters

chapters give an account of all the benefactors and patrons of the church; of the lives of all the archbishops of York, who were connected with Southwell, from Paulinus the first, to Dr. Markham the present Archbishop; and of the antiquities in and about Southwell. The sixth chapter contains the modern history of this place, from the civil wars in the reign of Charles the First, to the Restoration; the pedigrees of some of the principal families in the town and its environs; and a number of anecdotes which will be principally acceptable to the inhabitants of Southwell. On the whole, this work gives evident proofs of the author's industry, and of his access to valuable and curious sources of information; and bids fair for an honourable and lasting reputation among our choicest productions in local history.

"Prestwich's *Respublica*; or a Display of the Honours, Ceremonies and Ensigns of the Common-wealth under the Protectorship of Oliver Cromwell," is a miscellaneous and curious performance, which will be principally acceptable to heralds and genealogists. The first part of this work contains a genealogical table, in which Cromwell is derived from Blethin ap Kynvyn, prince of Powis. In the second part we have an account of the solemn investiture and installation of Oliver into the protectorship; with a description of the flags and armorial bearings of several of the commanders and captains of companies in the armies of the common-wealth, &c. &c. The third part describes the death and funeral of Oliver Cromwell, with the funeral ensigns of honour, and other particular circumstances relating to the ceremony and its expenses. The fourth part contains

a treatise on the constitution of England; and a display of the style, title, and arms of the present royal family. In the last part, we have an alphabetical roll of the names and armorial bearings of the present nobility, and ancient families of this kingdom. A continuation of this work is intended by the author, Sir John Prestwich, who requests the communications of those who are attached to this curious branch of science.

Governor Pownall's "*Notices and Descriptions of the Antiquities of the Provincia Romana of Gaul, &c.*" are intended by the author to assist the enquiries of the antiquary, and to instruct the traveller who shall pass through the scenes which he has undertaken to explore. Considered in this view, his publication possesses a very great share of merit. His descriptions, which are illustrated by finely drawn and well engraved plates, are faithful and accurate; and his dissertations and conjectures contain abundant evidence of the author's learning and ingenuity. We were more particularly interested by his accounts of the origin, and peculiar institutions of Marseilles; his description of the triumphal arch, and sepulchral monuments at Glanum Livii near St. Remis; his dissertation on the statue of Serapis; and his discussion on the nature and structure of the Roman aqueducts. These, beside many of his reflections on the natural riches, and comparative magnificence of the ancient and present state of the country, are extremely curious and instructive; and will amply gratify the attentive reader.

Mr. Pinkerton's "*Dissertation on the Origin and Progress of the Scythians or Goths*," is a perform-

ance in which the reader will discover much ingenuity and learning; and not a few of the peculiarities which we have on former occasions observed in the writings of this gentleman. The present work is divided into two parts. The first is employed in proving the identity of the Scythians, the Getae, and the Goths; in shewing that they came originally from Persia into Europe; and in describing the eastern and western settlements of that people. In the second part, Mr. Pinkerton undertakes to prove, that the Germans are neither of Sarmatic nor Celtic origin, but that they were originally Scythians. To establish this point, he appeals to the identity of their language, the testimony of ancient authors, and the similarity of their manners. From this short analysis of the Dissertation before us, our readers will perceive, that the author opposes the generally received opinions of all modern historians; and, we think, with much apparent success. The perusal of this work has afforded us both pleasure and information; while at the same time we were led to wish, that he had reserved to himself some of his incidental opinions, which have no immediate relation to his subject, and that he had been more sparing of the contemptuous and gross abuse which he pours on those who hold contrary sentiments from his own.

"The History of Limerick, Ecclesiastical, Civil, and Military, from the earliest Records to the Year 1787, By J. Ferrar, Citizen of Limerick," is divided by the author into six parts. The first and second of these treat of the ancient and present state of the city, and the most remarkable events which have taken place in it. The third and fourth parts describe the churches,

religious houses, public buildings, &c. The fifth contains a list of the provosts, mayors, the charter of the corporation, and of the men of genius and learning whom the place and neighbourhood have produced. The sixth part contains a description of the country of Limerick; and some particulars relative to the commerce, agriculture, and internal state of Ireland in general. This history of Mr. Ferrar, which he has illustrated by fifteen engravings, appears to be the result of much industry and application; and, while it will prove particularly acceptable to his fellow-citizens, is not undeserving of the notice of the historian and antiquary.

Among the books of travels which have been published during the year, Mr. Volney's "Travels through Syria and Egypt, translated from the French, in two volumes," are entitled to our warm applause and recommendation. This gentleman, who in the early part of life had habituated himself to literary pursuits, having succeeded to an independent fortune, determined to adorn his mind, and improve his judgment by travelling. And as Syria and Egypt possess powerful attractions, both on account of their ancient and present state, he fixed on those countries to be the scenes of his investigation. In gratifying his laudable passion, our author spent no less than three years; in which space he had time and abundant opportunities for making himself master of the language of the people with whom it was necessary for him to converse, and for a repeated and intimate acquaintance with the objects of his enquiry. In following Mr. Volney through these volumes, we have found ourselves uncommonly interested and entertained. When delivering the observations

observations which he made in Egypt, he frequently corrects the opinions of Mr. Savary, especially those relative to the enlargement and rise of the Delta, and the history of Ali Bey; and equally interests the naturalist and the historian, by his account of the climate and state of the air in that country, and of its present political and commercial state. But the part of this work which will be more particularly acceptable to European readers, is that which relates to the natural and political history of Syria; its antiquities; its several inhabitants, and their manner of living. The author gives an account of the government of the Turks in Syria; the administration of justice; the state of religion, of agriculture, of trade and commerce, and of the arts and sciences. These volumes afford equal testimonies to the author's learning, to his knowledge of mankind, and to his fidelity and accuracy as a narrator of facts; and we can venture to promise the reader of them much rational information, and elegant entertainment. The translation appears to be faithfully and neatly executed.

The "Travels through Germany, in a Series of Letters, written in German by the Baron Rieselbeck; and translated by the late reverend Mr. Maty, in three Volumes," possess a much higher degree of merit than most of the publications of this description, which have lately been offered to the public. The author appears to have been a man of sentiment and observation, who viewed the inhabitants of the various districts of which Germany is composed with a curious and philosophical eye; and whose judicious reflections and remarks shew, that he is not only well acquainted with the political state of the em-

pire, but with the general history of Europe. The picture which he draws of the inhabitants, and their manners, is new and interesting. And his descriptions of the principal cities, and the country through which he passed, of the state of literature, of the arts and sciences, of agriculture and commerce, of their public and private amusements, are delivered with that accuracy and variety, that render them both instructive and entertaining. It was with much pleasure that we found our intelligent author introduced to the English reader; though we could wish that some friend had corrected many of the inaccuracies of style, and unpolished expressions, for which the translator's severe and tedious indisposition was his sufficient apology.

Of the Political Productions of the year, which have been exceedingly numerous, we shall not attempt to give a distinct account, but briefly mention the subjects of them under the different classes to which they are to be referred.

Among the other objects of discussion, the character and conduct of Mr. Hastings have been alternately defended and attacked by our political writers. In the number of the advocates of that gentleman, the anonymous author of "An Appeal to the People of England and Scotland, in Behalf of Warren Hastings, Esq." is a spirited and sensible writer, who pleads the emergency of circumstances, and the manners of the people, in extenuation of the measures for which he has been accused; especially in the instance of the two begums. "The Speech of Major Scott, in the House of Commons, on the Fourth Charge against Mr. Hastings," is also an able and zealous endeavour to vindicate his friend's conduct.

conduct in that transaction. The "Appeal to the People" has been vigorously attacked in a pamphlet called "True Policy; or Helps to a right Decision on the Principles advanced in Defence of Mr. Hastings, by One of the People of England." On the same side of the question were published "Observations of the Court of Directors on the respective Conduct of Warren Hastings, Esq. Sir John Clavering, K. B. Colonel Geo. Monson, R. Barwell, and Philip Francis, Esqrs." and "Original Letters from Warren Hastings, Esq. Sir Eyre Coote, K. B. and Richard Barwell, Esq. to Sir Thomas Rumbold, Bart. and Lord Macartney, K. B." The first of these pamphlets, instead of being a publication of the court of directors, consists of a number of extracts from the official letters of the court to the presidency of Bengal. censuring the conduct of Messrs Hastings and Barwell, on some particular occasions, and commending, in particular instances, the conduct of the opposite party. And the "Original Letters" are published to shew, that disagreements subsisted between Mr. Hastings and his colleagues, of which he was solely and improperly the cause. Beside these publications, a severe and shrewd attack on Mr. Hastings appeared in "Observations on his Defence," by an unknown author, who particularly undertakes to condemn his conduct in regard to the Rohilla war. How far the conduct of Mr. Hastings on the occasions to which these pamphlets refer, is to be justified or condemned, remains, as yet undetermined by the high court of parliament.

But the discussions on the subject of Indian politics, have not been confined to the merits of Mr. Hastings. An act lately passed for re-

gulating the servants of the East-India company has been warmly attacked by the author of "A Hint to the British Nation on the Violation of their Constitutional Rights;" who reprobates that statute as what tends to deprive those gentlemen of their most valuable blessings of freedom, particularly of the trial by jury. The establishment also of the board of control, and the committee of secrecy, has been condemned in severe and pointed language, by George Tierney, esq. in "The real Situation of the East-India Company considered, with respect to their Rights and Privileges, under the Operation of the late Act of Parliament."

The commercial treaty has proved, as might have been expected, a great object of contention, and produced a plentiful harvest of political speculators, both in defence and condemnation of it. Among the most valuable of the publications in defence of it we may rank the "Historical and Political Remarks on the Tariff of the Commercial Treaty; with preliminary Observations;" in which the author has entered into an elaborate, but clear and perspicuous discussion of his subject. In the same list we must, in justice, place "The Necessity and Policy of the Treaty considered, by Anglicanus;" the "Helps to a right Decision on the Merits of the late Treaty;" and "A Commercio-political Essay on the Nature of the Balance of Foreign Trade, as it respects a Commercial Intercourse between Great Britain and France, and between Great Britain and other Nations." These pamphlets are the productions of sensible and well-informed writers; and deserve to be distinguished from the mass of common and temporary publications. Nor ought

ought the "Answer to a Complete Investigation of Mr. Eden's Treaty," to be passed by unnoticed. On the opposite side of the question there have, likewise, appeared several sensible and lively writers, who have attacked the treaty, and the framers of it with a variety of keen and powerful reasoning. Among the rest, the author of the "Complete Investigation of Mr. Eden's Treaty, as it may affect Commerce, the Revenue, or the general Policy of Great Britain," is an intelligent and subtle disputant, who endeavours to convict every part of that treaty of absurdity; and to shew, that it threatens destruction on every political and commercial interest of this country. Such also are the writers of "A View of the Treaty, &c." "The Principles of British Policy contrasted with a French Alliance; in five Letters from a Whig Member of Parliament to a Country Gentleman;" the "Observations on the Agricultural and Political Tendency of the Commercial Treaty;" and "An Appeal to the Landed Interest of Great Britain, on the Operation of the Commercial Treaty with France." Among the other pamphlets which have been published, of the same political complexion, the reader may select "Danger at our Doors; an Address to the Freemen of London, and of every Corporate Town in the Kingdom, on the unconstitutional and injurious Tendency of the Fifth Article of the Commercial Treaty;" and "The British Merchant for the Year 1787, addressed to the Chamber of Manufacturers, &c."

In consequence of the disturbances which prevailed in the South of Ireland, of which an account was given in the historical department of our Register of last year,

several appeals have been made to the public by the clergy of the different communions. Of these we shall endeavour to give as compressed a review as possible.—The first publication which we shall mention is, "The present State of the Church of Ireland, by Richard, Lord Bishop of Cloyne." The object of this prelate is to point out the precarious and dangerous situation of the established church in Ireland, from the number of catholic and protestant dissenters; whom he considers to be equally hostile to its prosperity; and to shew, "that of the three persuasions, the members of the established church alone can be cordial friends to the entire constitution of the realm, with perfect consistency of principle." These representations he endeavours to recommend to the serious consideration of the friends of the protestant interest; and concludes with a pathetic detail of the sufferings to which the established clergy have been cruelly and wantonly exposed.

This publication soon called forth an able advocate for the protestant dissenters, in Dr. Wm. Campbell, minister of Armagh, who addressed to the bishop a temperate and masterly "Vindication of the Principles and Character of the Presbyterians of Ireland." Dr. Campbell recites at large the sufferings and merits of the party to which he belongs; and gives such proofs of their loyalty and public spirit, as must effectually eradicate the least jealousy of their designs, from the liberal and candid mind. Mr.

O'Leary, likewise, whose writings the bishop of Cloyne thinks calculated to raise discontent and indignation in the Roman catholic peasantry, against the national clergy, and the legislature, has stepped for-

ward in "defence of his conduct and writings, during the late disturbances in Munster." In this pamphlet he justifies, with much plausibility and apparent truth, the Irish catholics from the charge of being disaffected to government; and traces the outrages of which the bishop complains, to the exactions of the tythe farmers; in opposition to which the protestants were full as active as the catholics.

—Soon afterwards appeared "A Letter from the most reverend Dr. Butler, titular Archbishop of Cashel, to the right honourable Lord Viscount Keshmarr," in vindication of the catholics against the insinuations of the bishop of Cloyne. The principal object of this publication is to assert the sincerity of the catholic bishops in taking the test of allegiance required by government; and to justify the oath taken by them at their consecration. How far he has succeeded in the latter part of his design, does not seem to be generally admitted by the members either of the protestant or catholic communion. — To this pamphlet of Dr. Butler's succeeded "Observations on the Political Influence of the Doctrine of the Pope's Supremacy, by William Hales, D. D. Fellow of Trinity College, Dublin." In these Observations our learned and ingenious author contests the position, that the consecration oath of the catholic bishops is by no means inconsistent with the allegiance of a subject to his prince; and vindicates the bishop of Cloyne against the misrepresentations of his assertions; both by Dr. Butler and Mr. O'Leary.

In turning our attention to the general subject of Irish politics, we meet with Mr. William's endeavour to prove "An Union of England and Ireland to be practicable,

and equally beneficial to each Kingdom, &c." In this pamphlet our author is a strenuous advocate for the completion of the measure which he proposes, and is equally zealous in dissuading the Irish from making any efforts toward independence. But though his speculations are well intended, his reflections on such a complex and important subject seem not to have been sufficiently matured to call for the attention of the public. The same subject has been more ably and fully discussed in the "Considerations on the Political and Commercial Circumstances of Great Britain and Ireland, as they are connected with each other; and on the most probable Means of effecting a Settlement between them, tending to promote the Interests of Both." The ingenious author of this publication examines his subject with great attention, and enters largely into the obstacles which render a legislative union with Ireland impracticable. With these he suggests other difficulties which strongly point out the inexpediency of such a political scheme. What he recommends is, a commercial union on the footing of liberal equality. This, indeed, is a desirable object; but we fear the time is yet at a distance, when the two kingdoms will be unanimous in adopting a system of commercial regulations.

No sooner was it understood that the dissenting laity had it in contemplation to bring forward a motion in parliament for the repeal of the Corporation and Test acts, than a variety of publications appeared on a subject so interesting to a numerous and respectable part of the community. The committee who were appointed by them for the management of that business, circulated a paper called, "The Case of the Protestant Dissenters;" which

was drawn up in a concise and masterly manner, stating the history of the corporation and test acts; the hardships to which conscientious dissenters were subjected by those obnoxious statutes; and the justice as well as policy of granting them effectual relief. The principles laid down in this case were repeatedly supported and opposed, by various writers, of different descriptions. This we shall perceive from the following list of pamphlets on the subject. The first, in point of importance, in favour of the measure in question, was entitled "The Right of Protestant Dissenters to a complete Toleration asserted; or, an Historical Review of their Situation under the Laws imposing the Sacramental Test on Persons admitted to Offices, &c." The sensible and liberal author of this performance has comprised in it a complete view of the arguments which are urged in favour of the dissenters; and gives a faithful and impartial detail of the historical circumstances which have any relation to his subject.

On the same side appeared a judicious and well written treatise, entitled "Reflections on the Oaths which are tendered to Subjects in this Country;" a dispassionate and sensible "Appeal to the Candour, Magnanimity, and Justice of those in Power, &c." and a republication of the excellent "Bishop Hoadly's Refutation of Bishop Sherlock's Arguments against a Repeal, &c.," to which are added, by the editor, the sentiments of Dr. Sykes and Mr. Paley on the same important subject.—Soon after this question had been debated in the house of commons, the name also of Dr. Priestley, appeared to "A Letter to the Right Honourable William Pitt, on the subject of Toleration and Church Establishments; occa-

sioned by his Speech against the Repeal of the Test and Corporation Acts;" in which the author warmly expostulates with the minister on his opposition to the motion of the dissenters, and justifies the equity and expediency of granting their claims.

The first publication which appeared on the opposite side of the question, was written, if we are to credit the work itself, by a protestant dissenter. In his "Letter to the Deputies of the Protestant Dissenting Congregations in and about the Cities of London and Westminster, &c." he disapproves of their application to parliament, as being, in his opinion, unwarranted by the general voice of the dissenters, and unfavourable to the real interests of their cause. The author of this pamphlet writes with temper and moderation, although his arguments do not carry with them much weight or energy. The same occasion hath also called forth "Observations on the Case of the Protestant Dissenters;" in which the author objects to the representations which had been given in that paper of the original reasons for passing the test act; and introduces many of the common arguments against extending to the dissenters the benefit of a complete toleration; and a republication of "Bishop Sherlock's Arguments against a Repeal of the Corporation and Test Acts;" the strength of which had been tried, and their fallacy sufficiently ascertained, in the memorable Bangorian controversy. A well intentioned, if not an able writer, has also published "Cursory Remarks on the reverend Dr. Priestley's Letter to the Chancellor of the Exchequer, containing Hints humbly offered in favour of the Establishment, &c."

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But the "Letter to a Member of Parliament, on the Case of the Protestant Dissenters," and "An Address to the Protestant Dissenters, &c. by the reverend Joseph Berrington," are of a very different complexion from any of the pamphlets, the title of which we have announced. They contend for the expediency of a general repeal of all penal statutes that regard religious opinions; and plead, unanswerably, that the only test of "a good citizen should be an obligation to be a peaceable subject, and an honest man." In this sentiment we perfectly agree with them; and think it the only one that can be supported with any consistency. And we think, that their strictures on the case of the dissenters, if not all equally well founded and liberal, are, nevertheless, many of them, deserving of the serious consideration of the gentlemen by whom it was publicly circulated.

Of the other Political Publications, during the year, which do not fall under the heads we have specified, those which we apprehend to be most worthy of notice are, "A Short Review of the Political State of Great Britain, at the Commencement of the Year 1787;" "A Retrospect of the Portraits lately delineated in a Short Review, &c.;" "Political Sketches, by a Citizen of America;" "Observations on the Corn-Bill, wherein the proposed Alteration in the Laws for regulating the Exportation and Importation of Corn, is fairly examined;" "A general View of the Bill preferred to Parliament, during the last Session, for preventing the Illicit Exportation of Wool, and live Sheep, by Mr. John Anstie, Chairman of the General Meeting;" "A Letter to the Duke of Grafton, on the Bill now depending in Parlia-

ment, for preventing the Exportation of live Sheep, Wool, &c." "Reflections on a late Resolution of the House of Peers, respecting the Peccage of Scotland; addressed to the Chancellor, and C. J. of the Common Pleas;" and "The State of Alterations which may be proposed in the Laws for regulating the Elections of Members of Parliament for Shires in Scotland, by Sir John Sinclair, Bart."

Under the head of critical, classical, and polite literature, the first work which claims our notice is, "The Heetopades of Veeshnoo-Sarma; in a Series of connected Fables, interspersed with Moral, Prudential, and Political Maxims; translated from an Ancient Manuscript, in the Sanskreet Language, with explanatory Notes, by Charles Wilkins." These fables are arranged under four heads; the acquisition of a friend; the separation of a favourite; of disputing; and of making peace. They have, undoubtedly, a claim to very considerable antiquity. According to the account given of them by Sir William Jones, the fame of them had reached Persia so early as the latter end of the sixth century; when the sovereign of that country sent his chief physician into India, for the sole purpose of obtaining a copy of what was deemed to contain the choicest treasures of morality and policy. After much difficulty, occasioned by the jealousy of the rajahs, who preserved it among the most secret arcana of government, he obtained a Persian translation of this celebrated work, with which he returned to his own country. From this version, various translations have, at different times, been made into most European languages. Many of these fables, considered separately, are simple and per-

perspicuous ; and convey maxims of morality in elegant and beautiful language. But the same imperfection attends them, which is observable in all compositions of a similar kind ; that which arises from attributing human faculties and passions to the brute creation. And we think that their connection with each other is frequently confused ; and that, sometimes, the relation which they bear to the subject which they are intended to illustrate, is not very easy to be discerned. Still, however, they are a curious monument of antiquity ; and Mr. Wilkins is entitled to our thanks, for the neatness and elegance of his version, and the useful explanatory notes which accompany it.

The "Lectures on the Sacred Poetry of the Hebrews, translated from the Latin of the Right Reverend Robert South, D. D. &c. by G. Gregory, F. A. S. in two volumes," form a work which the English reader will receive with much pleasure and gratitude, as a source of elegant amusement, and useful instruction. Few publications have attained to higher celebrity in the learned world, than the original lectures, of which these volumes are a translation. And one peculiar proof of their excellence is, that though intended to illustrate the Hebrew poetry, their utility is by no means confined to that object. "They embrace all the great principles of general criticism as delivered by the ancients, improved by the keen judgment, and polished taste of their author." And "though the learning and genius displayed in them, must even excite our warmest admiration ; though they abound in curious researches, and in refined and exquisite observation ; though the splendor of the sentiments and elegance of the style will captivate

the imagination and ear of the classical reader, they are calculated for persons of taste and general reading, as well as for what is commonly called the learned world." Much praise is due to Mr. Gregory, for the accuracy and fidelity with which he has translated this excellent work. Sometimes, indeed, he may appear to be deficient in expressing the sense of his author, according to the animation and spirit of the original. But these instances occur so rarely, that they are lost in the general merits of his version. To this translation Mr. Gregory has subjoined the excellent criticisms of professor Michaelis, taken from the Gottingen edition ; and many valuable notes of his own, and of his friend Mr. Henley, which are a learned and acceptable addition to these Lectures.

Hawkins's edition of the celebrated comedy of "Ignoramus," is by far the most perfect and correct of any which we have met with. The editor has bestowed great industry and care in collating all the printed and manuscript copies which he could procure. He has also added a profusion of notes, and illustrations ; many of which are curious and valuable, while a great part of them might have been omitted, without prejudice to the work, or to the critical abilities and taste of Mr. Hawkins. What is most interesting and amusing in this publication is, that part of the prolegomena which gives an account of King James's visit to Cambridge, when this play was first performed, and of his reception and behaviour at the university.

The new and elegant edition of "Bellendeni de Statu Libri tres," is a work which will be read with peculiar pleasure by the politician, and the classical scholar. Bellendenus

lendenus was master of the pleas in the reign of James the First; who, being a patron of literature, supported him at Paris, in honourable and affluent circumstances, while he composed the several admirable treatises which reflect such honour on his literary character. His three books de Statu were become so exceedingly scarce, that very few of the learned world were acquainted with them. These treatises abound with admirable instructions for the political conduct of princes and subjects; which are particularly applicable to mixed governments. And the language in which they are drawn up is truly Ciceronian. To these the editor has affixed two excellent Latin poems, by Bellopendus, which were found in the British Museum; one of which is an epithalamium on the marriage of king Charles the First; the other a panegyric on the embassy to Spain. In the editor's preface to this volume, we meet with many judicious criticisms on the style of Bellopendus; and a detection of the plagiarism of Dr. Middleton, who, in his life of Cicero, has borrowed not only much of the matter, but even of the method and arrangement of our author, without the least acknowledgement of his obligations. But what will be found particularly interesting in this preface are, the characters which the editor draws of our most famous modern politicians; especially those of Mr. Burke, lord North, and Mr. Fox. These gentlemen, whom he distinguishes by the epithet of the three English luminaries, are spoken of by him in terms which convey the warmest and most ardent approbation; and in language that is elegant and fascinating; while the ministerial party are attacked by the keenest weapons of wit and satire. Without assenting to our author's

political opinions, we cannot but admire the numerous beauties of his composition; and recommend it as a striking specimen of energetic, pure, and elegant Latinity.

Dalziel's "*Collectanea Græca Minora, ad usum Tironum accommodata*," contain a number of judicious selections from Æsop, Hiërocles, Palæphatus de incredibilibus Historiis, Lucian, Plutarch's *Apophthegmata*, Xenophon's *Institutio*, Anacreon, Bion, Moschus, and Tyrtæus, which appear to be well calculated to assist such as are but moderately advanced in Greek literature. To these selections are annexed a short account of each of the authors from whom they are taken; annotations illustrating the more obscure passages; and an useful lexicon, explaining the different words which occur in the extracts.

From lord Monboddo's pen the public has received, during the present year, a fourth volume "*Of the Origin and Progress of Language*." This volume is divided by the author into two books. In the first, he enters into a comparison of the excellencies and defects of different languages, in which he treats of words, first, merely as articulate sounds, capable of variety and melody; and then as significant, singly and in composition. Under each of these heads he lays down the characters of general excellence, by which he tries the merits of several languages, ancient and modern, and always decides in favour of the Greek. In the second book he explains the nature of style in its different kinds, and points out the distinct characters of the epistolary, dialogue, and historical style. To these he adds, remarks on Xenophon, Plato, Cicero, lord Shaftesbury, and Harris, as dialogists; and on Herodotus, on whom

whom he bestows the palm, as an historian. In the volume before us, as in the former productions of his lordship, the reader will perceive evidences of his extensive acquaintance with the objects of literature; and may derive information from many of his just and pertinent remarks. He will also meet with many of those peculiar and extravagant notions which will call forth the smile on the gravest countenance. No one will suspect that we are influenced by prejudice against the author, when he is found maintaining, that "men sing before they speak;" that "the use of language was first taught in Egypt by the god Teuth;" and the "cuckow, who articulates his own name musically, raising the tone of the first syllable a third above the last, comes nearer to the Greek pronunciation than any thing he knows."

Walker's "Melody of Speaking delineated; or Elocution taught like Music, by visible Signs, adapted to the Tones, Inflections, and Variations of the Voice, in Reading and Speaking, &c." is equally deserving of our praise and recommendation, with his former valuable works, which have fallen under our notice. The rules which in this volume he delivers for modulation, are proofs of the accuracy of his judgment, and the niceness of his ear. His examples in prose and verse are well chosen; and given in one page without marks, and in the other with notes of inflections, breaks, and instructions for the variation of tones. We think, however, that his remarks on circumflexes, one of which begins with the rising, and ends with the falling inflexion upon the same syllable, and the other begins with the falling and ends with the rising inflexion, cannot be perfectly com-

prehended without oral assistance. To those who wish to attain a full, distinct, and elegant elocution, we recommend this production as an ingenious and useful guide.

The "Concordance to Shakespeare, suited to all the Editions; in which the distinguished and parallel Passages in the Plays of that justly admired Writer are methodically arranged, &c." is the first attempt, of which we have any knowledge, towards supplying the public with what has long been a desideratum in literature. The plan of the editor is, "to make the poet sometimes speak in maxims and sentences; and at other times to give his description of one and the same affection and passion, as it is seen in different persons, and at different seasons; or as it may be called forth by accidental, by foreign, and opposed circumstances." A work that requires so much labour and attention is, unquestionably, deserving of our thanks: and we hope that our author will meet with such encouragement as shall engage him to enlarge his plan, and render it more perfect. But the principal excellence in this volume consists of upward of three hundred notes and illustrations, which are intended to elucidate the obscurities of our immortal bard. These notes sufficiently evince the author's acquaintance with Shakespeare; and that he is possessed of that genius and attention which qualify him for this line of criticism. Even his conjectures, in which he follows the impulse of a bold imagination, and may seem, sometimes to betray too great a fondness for innovation, do well deserve the attention of future commentators.

Grose's "Provincial Glossary; with a Collection of Local Proverbs, and Popular Superstitions," is a work

work by which that ingenious gentleman has laid the public under fresh obligations to him, in facilitating their acquaintance with our ancient writers. Many partial collections, in the form of glossaries, have already been made, and well received. "These are all here united under one alphabet, and augmented by many hundred words collected by the editor in the different places wherein they are used; the rotation of military quarters, and the recruiting service having occasioned him to reside, for some time, in most of the counties of England." In this division of his work, our author has so satisfactorily explained the terms and phrases which occur, that we could wish that it had been more full and complete. The local proverbs in this collection, are enlarged and corrected from Fuller, Ray, and other writers. With respect to the concluding part, which treats of popular superstitions, it has been chiefly collected from the works of king James the First, Glanvil, Dr. Henry More, Beaumont, Aubrey, Mather, Baxter, &c. What is new in this division, captain Grose received "from the mouth of village historians, as they were related to a closing circle of attentive hearers, assembled in a winter evening, around the capacious chimney of an old hall or mansion-house." This last part, as it exhibits the strange vagaries which still possess the minds of the vulgar in different parts of these kingdoms, is peculiarly interesting. On the whole, we have received much pleasure and entertainment from the work before us, although we think that some of the author's explanations are erroneous.

Mr. Cumberland has, during the present year, published a new edi-

tion of the "Observer," in three volumes. In the account which we gave of the first edition of this instructive and entertaining work, we bestowed on our author a due proportion of praise, for the learning, ingenuity, and excellent tendency of his writings; while, at the same time, we freely censured him for his numerous inaccuracies and imperfections. We are now happy in being able to inform our readers, that these blemishes are done away; and that they were principally to be attributed to an incaution which attended the working off the former numbers at a country press. The style in which these volumes is written is polished and refined: many of the miscellaneous papers are instructive and pleasing; the criticisms ingenious and just; and the numbers which are devoted to religious subjects serious and useful. In his continuation, likewise, of the history of Grecian literature, the author is entitled to our warmest commendations. Much of the information which has been buried in the voluminous annotations of the scholiasts, he has cleared from the rubbish, and delivered in the form of a regular and interesting narrative. But while we accompany him with pleasure in his learned researches, and view with genuine satisfaction the successful defence which he sets up for Aristophanes, we feel ourselves much hurt at the manner in which he involves Socrates in the deserved disgrace to which he consigns the enemies of that Poet. We think that this reprimand was by no means necessary to the vindication of his favourite; and that it is condemned by the general sense of his virtue and integrity, which was entertained by his fellow citizens, the repentance universally shown for the unjust sen-

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tence pronounced against him, and the united testimony of the most authentic historians.

"The Lounger, a periodical Paper, published at Edinburgh, in the Years 1785, and 1786, in three Volumes," is a work which proceeds from the same school with the Mirror, to which we gave our applause in a former Register. And although we do not think it, on the whole, equally interesting with that performance, we look upon it to be entitled to a considerable share of approbation and praise. Many of the papers in these volumes are distinguished by good sense, and elegant writing; and many others by interesting narratives, and just and accurate observation. As this work has met with that kind of reception from the public, which bids fair to give it an established character among our most acceptable periodical writings, we would recommend it to the editors, to correct such inelegancies and provincial expressions as a careful perusal will easily point out to them; that it may be considered not only as an entertaining miscellany, but as a classical authority.

Colman's "Prose on several Occasions, accompanied with some Pieces in Verse, in three Volumes," is chiefly a collection of his fugitive pieces, by which the public have, at different times, been entertained, and which they will receive with renewed pleasure in their present form. What is new in these volumes consists of remarks on Shylock's reply to the senate of Venice, which is ingenious, if not satisfactory; thoughts on public education, containing a masterly defence of that practice, in opposition to the arguments of Mr. Locke; some humorous and witty poems; and such prologues and epilogues

as were written by him for the private theatre of Wynnislav. The claims of Mr. Colman to a respectable rank in the literary world, have been long ago substantiated; and his reputation will suffer no loss by his legitimating the various papers of which these volumes are composed.

The Pharos; a Collection of periodical Essays, in two volumes," is an elegant and amusing little work, for which the public are indebted to a female pen. The essays of which it consists, contain many excellent rules of virtue and morality; and many ingenious and lively remarks on life and manners, delivered in neat and correct language. From the nature of the subjects discussed in this publication, and the excellent tendency of the sentiments which it inculcates, we may venture to recommend it to our readers, as what may be perused by them with pleasure and profit.

Mr. Webb's "Literary Amusements in Verse and Prose," carry with them the same marks of correct taste and cultivated genius, which distinguish the other writings by which he is known to the world. The present little volume consists of an imitation of the fourth satire of Boileau; thoughts on manners and languages; an essay on party writing, which was before published in 1763; strictures on Florus; and two or three pieces in verse. The remarks of our own author are, in general, so judicious, and his acquaintance with the subjects on which he treats so extensive and familiar, that his character as a writer will suffer no injury from the publication of this elegant Miscellany.

The same ingenious gentleman has also published "Some Reflexions for

for thinking that the Greek Language was borrowed from the Chinese; in *Notes on the Grammatica Sinica* of Mons. Fourmont." These reasons are deduced from the affinity which our author has remarked between these languages; and a variety of resemblances which, he thinks, ought to be admitted as decisive proofs of a common participation. But our knowledge of the Chinese is too imperfect to enable us to form any opinion of its relation with the Greek. Those who are better acquainted with that Oriental language, will determine how far the arguments of Mr. Webb are satisfactory.

"The Microcosm, a periodical Work," is the production of some literary youths at Eton, which contain striking evidences of genuine humour, elegant taste, and extensive information. The style also in which they are written is remarkably correct and pure. From these early efforts of talents and genius, the discerning reader will form the highest expectations of future excellence.

The author of "Two Dialogues, containing a Comparative View of the Lives, Characters, and Writings of Philip the late Earl of Chesterfield, and Dr. S. Johnson," professes to form a just and dispassionate estimate of the merits and defects of these respective characters: but we do not think that he has executed his task with impartiality. We should rather characterise the production before us under the title of an ingenious and elegant defence of the character of the abovementioned nobleman, at the expense of Dr. Johnson's abilities, and general merits. But how much soever we may admire the spirit of the writer, whatever disagreeable impressions the friends and foes of Dr. Johnson

have alternately made on our minds, we cannot subscribe to the conclusion of this author, that lord Chesterfield "was in truth, take him for all in all, as good a man, as found a moralist, and as eloquent a writer as the renowned philosopher." Whatever defects attended the character of the latter, we must ever regard him as a warm and steady friend to the interests of virtue; and the former, notwithstanding the eulogies of his panegyrists, we must class among the most dangerous and subtle advocates for immorality.

The "Discourse delivered to the Students of the Royal Academy, on the Distribution of the Prizes, December 11, 1786, by the President," like the other annual discourses of sir Joshua Reynolds, is a model of elegant composition, and replete with the most useful instruction. The intention of this discourse is to shew, "that painting is not only, not to be considered as an imitation, operating by deception, but that it is, and ought to be, in many points of view, and strictly speaking, no imitation at all of external nature." This assertion which at first sight may seem too bold, is sufficiently confirmed in the subsequent parts of the discourse, in which sir Joshua desires to be understood as discouraging a servile imitation, which must ever restrain the painter from exhibiting what is great, and from addressing the imagination and feelings, which is the true object of his art. We need not add, that the observations of such a judge and artist are deserving of the repeated study of those who would excel in the art of painting.

The last place under our head of critical and poetic literature we have reserved for an account of "Ob-

servations

servations relative to Picturesque Beauty, made in the Year 1772, on several Parts of England; particularly the Mountains and Lakes of Cumberland and Westmoreland, by William Gilpin, M. A." Of this elegant and valuable work it is not easy to speak in terms of too high commendation. Mr. Gilpin conducts his readers through the most romantic and interesting scenes which this country affords, which he describes in the most pleasing and luxuriant language; and accompanies his descriptions with a number of well executed and beautiful engravings. These scenes are introduced by him, to confirm the principles which he adopts, and to illustrate his critical remarks on the beauties and defects of landscapes. In these remarks, as well as in those which relate to the ornaments of parks and gardens; in the reasons which he assigns for the pleasure which these beauties or embellishments afford; and in his observations on composition, our author displays a refined taste, and accurate judgment. We have followed him through these volumes with uncommon pleasure, and have, not unfrequently, felt a share of the enthusiasm which has animated his pencil, transfused into our own minds, by his energy and warmth of description. This entertaining work may also be read, with profit, by the naturalist and historian, who may select from it several articles of information, that will not be unacceptable.

The Poetical World has been very productive during the year 1787. Among the articles which are entitled to our distinct notice, we shall give the first place to "Select Beauties of Ancient English Poetry; with Remarks, by Henry Headley, A. B. in two volumes." The object of Mr. Headley in this publication is,

to restore to notice the neglected and forgotten works of some of the English poets, who flourished from a period considerably earlier than the reign of Elizabeth to the end of the last century. In completing his design, he has avoided, as much "as possible, touching those who have already justly obtained the distinction of being denominated our older classics, and has confined himself, in general, to some of the better parts of the unfortunate few who still remain unpopular; and of whom it may be affirmed, that they may find foils in many writers, who through accident and partiality still linger among the favourites of the day." In the first volume we meet with a number of descriptive and pathetic poems: in the second, with didactic and moral pieces, elegies and epitaphs, miscellaneous pieces, sonnets, and speeches. The greatest number and most valuable of these are the productions of Drayton, Quarles, Drummond, Daniel, and King. In selecting these pieces, the editor has given evidence of his judgment and taste; and in his notes and remarks upon them, he discovers a fund of various knowledge, and an intimate acquaintance with our poets both ancient and modern. Mr. Headley's preface to these volumes explains his design, and gives an account of other similar publications which have appeared. The introduction which follows the preface, contains a comparison between the ancient and modern poets; in which, many of his observations are the evident result of discernment and genuine taste, although we do not thoroughly approve of his partiality in favour of the former. After this introduction we are presented with short but pleasing biographical sketches, which contain a variety

of entertaining remarks, just criticism, and many curious anecdotes of the writers from whom the selections are made. On the whole, we look upon these volumes as a valuable acquisition to English literature; and are happy to understand that Mr. Headley has materials for two additional volumes, with which, we hope, he will soon gratify the public.

“Sean Dana; Le Oislan, Orran, Ulaun; Ancient Poems of Ossian, Orran; &c. collected in the Western Highlands and Isles, &c.” are the originals of the translations which were published some time ago in the *Gaelic Antiquities*, by Dr. Smith of Cambleton. This work will, doubtless, be acceptable to the lovers of Gaelic literature, who will be able to understand and to relish its beauties. But as we are totally unacquainted with the Gaelic language, we cannot pretend to judge of the intrinsic merit of these poems. We have no reason to doubt of Dr. Smith's being a faithful editor; and that he has simply exhibited the original poems, leaving them to speak for themselves. It would be unjust, however, not to add, that his notes and remarks prove him to be an acute and ingenious commentator.

Of the “*Asiatic Miscellany*,” printed at Calcutta, two numbers have been published in this country. The design of this work, which is intended to be periodical, is to bring together various original productions, translations, fugitive pieces, imitations, and extracts from curious publications which have any relation to oriental subjects, and which are calculated to convey genuine information, or rational amusement. The major part of the pieces of which these numbers consist, are tales, chiefly moral, in

prose; some of which are remarkably pathetic and elegant; translations from oriental manuscripts; and extracts from the works of European travellers who have visited the different parts of Asia, which are now either out of print, or not easily to be procured. But we have introduced the mention of the *Asiatic miscellany*, in this place, on account of the poetical pieces which it contains. Many of these are light and pleasant, and full of that sprightliness and vivacity which distinguish the compositions of the East. But the most valuable and striking of these poems are, the hymns to Camdeo and Nayarca, by sir William Jones, and that to Sereswaty, which, though it has no author's name annexed to it, we suspect to be the production of the same pen. These poems are uncommonly beautiful and splendid: their conception is highly poetical; and their expression elegant and vigorous. If any objection whatever can be made to them, it is only that they are rendered too sublime for common readers, by the frequent use of allusions to Indian mythology.

Nott's translation into English verse of “*Select Odes from the Persian Poet Hafez*,” was undertaken by him with the laudable design of promoting the study of the Persian language. For this purpose he deserts with no little enthusiasm on the excellencies of the eastern writers; and “laments, while years are bestowed in acquiring an insight into the Greek and Roman authors, that those very writers should have been neglected from whom the Greeks evidently borrowed both the richness of their mythology, and the peculiar tenderness of their expressions.” Though we think that this assertion of our author is

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rather questionable, we perfectly agree with his ideas of the importance of the Persian language, in a literary, and in a commercial view. The translations before us are, in general, distinguishable for their fidelity and simplicity; and together with the notes which accompany them, appear well adapted to the design for which they were avowedly published. We cannot, indeed, award to them the palm of superior excellence. And we think that the author's effort to rival Sir William Jones in his elegant version of one of the odes of this poet, is a greater proof of his boldness than of his prudence or poetical abilities.

Of Pye's "Poems on Various Subjects, in two volumes," the principal have been separately published, and have met with a favourable reception. From the pieces in this volume which are new, as well as from his former productions, Mr. Pye appears to be possessed of considerable knowledge, and a classical taste. His language is elegant, and his numbers harmonious; though we think him deficient in that invention and spirit which insure celebrity to the votaries of the muses.

Glover's "Athenaid, a poem," is a posthumous work, which was intended by the author to be a sequel to the heroic poem of Leonidas. This work contains a poetical history of the wars between the Greeks and Persians, from the death of that prince, to the destruction of the Persian army commanded by Mardonius, at the battle of Platæa. Although we do not think this performance equal to the former fruits of Mr. Glover's genius, we cannot but acknowledge that it abounds in many striking and affecting passages, and discovers the same liberality of

sentiment, and the same zeal for the rights and liberties of mankind. The characters of Aristides, Themistocles, and Mardonius are well drawn. But the events of the poem are copied too closely from history; and many episodes are omitted, which might have been introduced with peculiar propriety, and which would have given the subject a considerable degree of interest and importance.

Polwhele's "English Orator, Books the Second and Third," treat of the eloquence of the bar and of the senate. In that part which is appropriated to the eloquence of the bar, Mr. Polwhele proposes to the consideration of the students in forensic oratory, the source, the end, and the object of argument; which is the essential of the oration; and the circumstances attending the bar, which is the scene of action; and concludes his observations on these subjects with a view of the trials in other countries, and the proceedings in the Baillie, the Inquisition and the arbitrary tribunals of Turkey and Venice. The book which treats of the eloquence of the senate contains a just analysis of the talents necessary for the accomplished senator; and presents us with well drawn portraits of the late Lord Chatham and Mr. Burke. The author of this poem is undoubtedly possessed of knowledge and genius. Many of his descriptions are interesting and entertaining; and his observations are calculated to afford instruction to the student in the school of eloquence.

Mrs. Yearley's "Poems on Various Subjects, being her second Work," possesses the same merit and originality which we attributed to her former publication: the same boldness and grandeur of imagery; the same harmonious modulation of

numbers; and the same strong and animated expressions. With her invocations to Sensibility and Indifference, which our readers will find in our poetical department, we have been particularly pleased, as they represent a picture of the different dispositions by which the soul is at different times influenced, in language that is peculiarly beautiful and energetic.

Whitehouse's "Poems consist of Elegies, Odes, Sonnets, and Inscriptions." The elegy written near the ruins of a nunnery, is distinguished by many passages which discover much poetical feeling, and picturesque description. And the author's odes to superstition and melancholy, shew marks of genius and good taste. Upon the whole, though the reader may sometimes find fault with the imagery in these poems, and disapprove of the number of epithets in which they abound, he will also find much with which to be gratified and pleased.

Swift's "Temple of Folly, in Four Cantos," is a successful imitation of the Dunciad, in which the characteristic follies of the present times are exposed with good sense and genuine humour. In the first canto, the author beholds a vision a building of prodigious magnitude, which he finds to be the Temple of Folly, in which Moria, the tutelary goddess, sits upon her throne, surrounded by numerous attendants. The remaining cantos describe the respective characters which are introduced for the favour of the divinity; and the various pursuits of the votaries of folly. This poem is a pleasing allegorical tale, in which the satire is, for the most part, general; and on that account, the better adapted to correct the absurdities against which it is levelled. And it is illustrated

by notes which shew the author's knowledge and reading to be various and extensive, and which are many of them ingenious and amusing.

"A Poetical Tour in the Years 1784, 1785, and 1786", is a collection of "little poems, the effusions of momentary impressions, hastily written on the spots where those impressions were received," which are, unquestionably, the productions of a man of taste and genius, though not marked by any force of expression, or originality of thought. They consist principally of elegies, odes, and epistles; in which there are a few faults and inaccuracies, but many elegancies and beauties to please and charm the reader.

From Peter Rindar's pen we have received, during the present year, "The Louiad, an heroic-comic Poem, Canto II." "Ode upon Ode, or a Peep at St. James's, or New Year's Day; or What you Will;" "An Apologetic Postscript to Ode upon Ode;" "Instructions to a celebrated Laureat; alias the Progress of Curiosity; alias, a Birthday Ode; alias Mr. Whitbread's Brewhouse." This laughter-loving poet still perseveres in offering the public his treats of "wit and fun," with which it is impossible for the most grave and fastidious critic not to be highly entertained.

Among the other poetical productions of the year, of which our limits will only permit us to mention the names, we meet with "Edward; or the Curate, a Poem, by the rev. Samuel Hoole;" "Poems imitated from the Persian, by J. Champion, esq." "The Distressed Poet; a serio-comic Poem, by George Keate, esq." "A Poem written During a Short Exourison on the Moors, by the reverend

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William Greenwood;" "Poems by John Macgilvray, A. M." "Poems on various Subjects, by John Thelwall;" "Poems on several Occasions, by the rev. A. Freston;" "The Highlanders, a Poem, by the rev. L. Booker;" "Six Narrative Poems, by Eliza Knipe;" "Ode on General Elliot's Return from Gibraltar, by A. Seward;" "the Fane of the Druids;" "the Wrongs of Africa;" "West-Indian Eclogues;" and "Poems and Essays, by a Lady lately deceased; published for the Benefit of the General Hospital at Bath."

Of the dramatic productions of the year, the only tragedies upon the list are, "The Death of Dion, by Mr. Thomas Harwood, of University College, Oxford," and "Julia, or the Italian Lover, by Robert Jephson, esq." The comedies, as usual, are more numerous: their titles are "Such Things Are, by Mrs. Inchbald;" "The New Peerage; or, Our Eyes may Deceive Us, by Miss Harriet Lee;" "Seduction, by T. Holcroft;" the "Pilgrim, written originally by Fletcher, afterwards altered by Dryden, and now Revised, with material Additions;" and "Nina, or the Madness of Love, in Two Acts, translated from the French." The comic operas and farces are, "Inkle and Yarico, by G. Colman, jun." "the Midnight Hour, or War of Wits, in Two Acts," translated from the French; "English Readings, in One Act;" "and the Sultan."

The first article which we shall introduce under our short head of Miscellaneous Publications is, "Chefs, by Mr. Twiss." This is a work which, to chefs-players will be particularly interesting. The author presents us with a complete history of that celebrated game; all the anecdotes which he could

possibly collect relating to it; an account of all the books on chefs which he could procure; and an explanation of some of the principal terms used by the players. To this work he has added two papers, one communicated to him by Mr. Herbert Croft, called, "The Morals of Chefs, by Dr. Franklin;" the other, "Anecdotes of Mr. Philidor, by himself." From the perusal of this publication we have received no small pleasure; and from many of the anecdotes, as well as from the history of the game, our readers may promise themselves much curious information, as well as amusement.

The "Considerations on Parochial Music, by William Vincent, D. D." contain many rational and judicious observations on the abuses which at present exist in the common methods of conducting that part of worship, and the remedies to these abuses. We particularly agree with the worthy author when he expresses his wish, that parochial music should be general, and not confined to select bands. This practice obtains pretty generally among the dissenters from the established church. And it would certainly contribute much to the beauty and spirit of our public devotions, if we adopted their practice in this respect.

The "Academy for Grown Horsemen; containing the completest Instructions for Walking, Trotting, Cantering, Galloping, Stumbling, and Tumbling, illustrated with Copper-Plates, by Geoffrey Gambado, esq." is a most humorous and laughable publication, which, in the spirit of Swift's directions to servants, by satirically praising the absurdities to be avoided in horsemanship, points them out, most effectually, as the objects of i-

dicule. The instructions of our pleasant and sportive author are illustrated by several excellent engravings, in the style of Hogarth, which are admirably suited to them; and contain, each of them, striking and forcible lessons. This work is, we understand, to be attributed to H. Bunbury, esq. whose name is at the bottom of each of the humorous prints.

The fourth volume of "the Epistolary Correspondence, Visitation Charges, Speeches, and Miscellanies of the right reverend Francis Atterbury, D. D. Lord Bishop of Rochester," is composed, chiefly, of a private correspondence between him and his daughter Mrs. Morrice, and her husband. To these are added, the act for the banishment of the bishop; the various petitions to government during his confinement; the licences to visit, and even to be permitted to correspond with him in his banishment; some Latin compositions; and several letters to bishop Trelawney, relating to the business of the convocation, and from Dr. King concerning Dr. Bentley's Phalaris. From the notes which accompany this volume, the reader may extract many curious pieces of literary information.

"The Epistolary Correspondence of Sir Richard Steel, now first printed from the Originals which are deposited in the British Museum, illustrated with Literary and Historical Anecdotes, by John Nichols, in 2 vols." is a publication that will be very acceptable to the literary world, as it contains "the private, and undisguised opinions of the man, who took upon himself to be the censor of the age, and for years executed that delicate office, with suitable dignity, and general approbation." It is with real pleasure

that we have perused these interesting letters, which represent the private and public character of Sir Richard Steel in the most amiable points of view: and we think ourselves much obliged to the ingenious and indefatigable editor, for rescuing them from oblivion; and for the information and entertainment which we have received from his numerous anecdotes.

The two volumes of "Reflections, Moral, and Political," consist of a variety of disquisitions on the constitution of England, contrasted with the government of France, and compared with the Roman and other ancient and modern republics; and miscellanies in prose and verse. In the political essays, we meet with many excellent observations on government in general, and on the government of this country in particular; in which the author discovers much knowledge and discernment, and throws out many sensible and useful remarks on the subjects of finance and reform. Among the miscellaneous essays, the most valuable are, reflections on taste, and a critical dissertation. But in courting the muses, the author does not seem to have chosen that line of study which is most congenial to his abilities.

We shall, in the next place, introduce to our readers such miscellaneous publications as have any relation to education, and the improvement of the mind.

The first place we shall assign to "Strictures on Female Education; chiefly as it relates to the Culture of the Heart; in four Essays; by a Clergyman of the Church of England." In the first of these essays the author enters into a survey of the treatment of women in the different ages and nations of the world, with an enquiry into the

the causes which have contributed to the obvious and shameful neglect in their education. The second contains his observations on the manner in which the treatment of this sex will be influenced by, and will reciprocally influence the taste, the sentiments, the habits and pursuits, the manners, the morals, the public and private happiness of a people. The third essay is on the nature, quality, and extent of female talents, with an enquiry into the comparative difference of understanding in each sex. The fourth is on the danger and insufficiency of boarding schools, as places of female education. In this sensible and valuable treatise, the author delivers a number of reflections which are richly deserving of the attention of his female readers. They are the reflections of a warm and liberal friend, who would assist in rendering them, what they must all wish to be, the ornaments of society. To parents, who feel for the happiness of their children, and to those who are entrusted with the care of young ladies we particularly recommend the repeated perusal of the last of these essays.

The "Thoughts on the Education of Daughters; with Reflections on Female Conduct in the more important Duties of Life, by Mary Woolstonecraft," contain, also, many judicious and useful remarks on moral discipline, exterior accomplishments, artificial manners, dress, reading, temper, love, matrimony, and public places, which are equal evidences of the good sense and piety or the benevolent writer. Experience and rational just principles seem to have peculiarly qualified this lady to become the adviser and instructor of her sex. In the same list we shall place a volume of "Familiar Essays on

Interesting Subjects." The author of this little work appears to be a person of sound sense and just reflection; and to be anxious to establish in the minds of his readers, a regard to the interests of religion and virtue. And, to advert to his modest apology for offering his labours to the world, if they may not prove interesting "to men in the first walks of literature and science," they are well adapted to entertain and improve, "those whose reading is not so extensive, and particularly the youth of both sexes."—Such also is the character of "Dialogues and Letters on Morality, Œconomy, and Politeness, in 3 vols.;" and "May-day; or Anecdotes of Miss Lydia Lively."

We shall conclude our catalogue of miscellaneous productions, with the mention of two separate publications, which maintain a respectable rank among the treatises which are devoted to the instruction of the young. The first of these consists of "Characters of the Kings and Queens of England, selected from different Histories; with Observations and Reflections, chiefly adapted to Common Life, by J. Holt, in 2 vols." These characters are taken from Hume, Smoller, Rapin, &c. commencing with that of Alfred, and concluding with Henry the Eighth. On each of those the author has made ingenious and pertinent remarks, illustrating the virtues and the vices of the respective monarchs, and pointing out those parts of their conduct which are the objects either of praise or blame. This instructive little work is enlivened with many curious and entertaining notes, which are well adapted to introduce young persons to a general acquaintance with historical facts and political details.—The

other publication to which we referred is, an epitome of "Universal History, Ancient and Modern; in a Series of Letters to a Youth at School; exhibiting a View of the Origin, Progress, Decline and Fall of every considerable State, from the Earliest Times to the present Period; by the Reverend Richard Turner, junior LL. D." This little treatise is drawn up in a plain and easy style, so as to be well adapted for the use of young readers; and it is rendered still more valuable by a copious and accurate chronological table of remarkable events and occurrences from the creation to the year 1787.

To this history of the Domestic Literature of the year, in which we are not conscious of having overlooked any work of merit and importance, we shall add a short catalogue of the novels and romances, with the names of which we have been made acquainted.—Of these, "The History of Miss Greville, by the Author of Interesting

Memoirs;" "Alan Fitzosborne, by Miss Fuller;" "the Adventures of M. Provence, translated from the French;" "Georgina; or Memoirs of the Bellmour Family, by a young Lady;" "Ela, or the Delusion, of the Heart;" "the History of Lady Emma Melcombe and her Family;" "Louisa, or the Cottage on the Moor." "The Disinterested Nabob;" and "Clara and Emmeline," are spoken of as superior to the generality of publications of this nature, with which the press is incessantly teeming. In addition to this list, we have met with the names of "Orlando and Seraphina;" "Reuben, or the Suicide;" "the Generous Attachment;" "Lumley House;" "Excessive Sensibility;" "Caroline;" "Edward and Sophia;" "The Platonic Gardener;" "The School of Virtue;" "The School for Fathers;" "Retaliation, by Mrs. Cartwright;" "Seduction;" "The Rattle of Modern Life;" and "The West Indian."

FOREIGN LITERATURE

Of the Year 1787.

WITH respect to Foreign Literature, Russia, during the present year, has contributed but a small share towards the general improvement of knowledge in Europe. We find, however, that the grand plan of the Empress for facilitating the progress of science in that widely extended empire, which we announced in our last year's Register, is carried on with activity and vigour. The labours of M. Pallas grow more interesting, as he proceeds in his philological enquiries. A specimen of these has been published at Petersburg; and encourages us to hope, that when perfected, they will lead to some curious and important discoveries. —The second and third volumes of "Observations made by the late unfortunate Professor Falk; intended to illustrate the Topography of the Russian Empire," are, also, a valuable contribution towards the same patriotic object. The second volume contains the observations that relate to the mineral and vegetable kingdoms; in which the plants are all arranged according to the system of Linnæus. In the third volume we have the history of the animals, which are divided into six classes, comprehending the mammalia, aves, amphibia, pisces, insecta, and vermes, and accompanied with a great number of plates. This important work has been pub-

lished under the inspection and care of M. Georgi, who was eminently qualified to superintend such a publication, by his knowledge in philosophy and history, and his own travels through several parts of the Russian dominions. —At Riga, Mr. John Frederic Klauker has published "a Dissertation on the Nature and Origin of the Doctrine of Emanation among the Cabbalists; or, An Answer to the following Prize-question, proposed by the Society of Antiquaries at Cassel: whether the Doctrine of the Cabbalists, concerning the Emanation of all Things from the Substance of the Deity, derived its Origin from the Grecian Philosophy." In this Dissertation the author enquires, first, how far it is true, that the Cabbalists taught the doctrine of emanation, and what that doctrine really contained. Secondly, what relation that doctrine had to those contained in the holy scriptures, and to the philosophy of the ancient nations. And thirdly, from what source the Cabbalists drew the peculiar tenets of their system of emanation. Under these several heads the author discovers great ingenuity as well as learning; and shews himself to be worthy of the prize which was adjudged to him.

In Sweden there hath been published "A Description of a Greek Manuscript

Manuscript of the New Testament, in the Library of the Academy at Upsal, collated by Father Orvillers"; which will prove an acceptable present to the lovers of biblical literature. This manuscript which was purchased at Venice, and presented to the academy at Upsal, by M. Sparvenfeld, was written during the 11th or the 12th century; and from its agreement with such copies as are deemed the most correct and valuable, appears to have been the work of an intelligent and careful transcriber. On this publication the editor has employed considerable attention, as well as on his list of the variations which he marked when comparing it with the edition of Stephanus. The volume of the "Memoirs of the Royal Academy of Sciences of Stockholm, for 1785," is divided, like the former volumes, into four parts, relative to the four quarters of the year. The subjects of the different papers which compose these memoirs are, pure mathematics, meteorology, natural history, chemistry, mineralogy, and medicine. These labours of the society contain much useful information: and under the heads of natural history and chemistry, in particular, many curious and important articles will occur to the reader. Among the numerous contributors to this volume we meet with the names of M. Melanderhjelm, M. A. J. Hagström, M. Faxé, M. Thunberg, M. Edelfeld, M. Marelius, M. Scheele, M. Bergman, M. Gueyer, the Baron Clas Alstroemer, Dr. Sparmann, Moncau, and M. Bjérkauder.—Dr. Sparmann, president of the royal academy of sciences at Stockholm, has also rendered an acceptable service to the lovers of natural history, by

publishing "A Collection of Rare Birds in the Possession of Mr. Gustavus Carlsson, Secretary of State to his Swedish Majesty; engraved with their Natural Colours, and accompanied with a Concise Description of each." In this noble and splendid work, these curious animals are arranged in the most judicious manner; with accurate descriptions of the character, structure, and native region of each. In the excellent plates accompanying these descriptions, which are twenty-five in number, they are represented in their natural attitudes, with the circumstances that indicate their usual places of residence.—Dr. Herman Schutzenscrantz's "Systematic Theory of Midwifery," is intended for the instruction of young surgeons; and is illustrated with eleven useful plates.—M. de Mouradzea D' Ohsson, knight of the order of Vasa, secretary and late interpreter to his majesty, and charge des affaires at the court of Constantinople, has delivered proposals for publishing a magnificent work entitled "Tableau general de L'Empire Othoman", which is intended to give a circumstantial account of the Mahometan legislation and history. This history will be chiefly extracted from the annals of the monarchy, and the collections of the ingenious author; who, from residing the greatest part of his life in that country, and the character which he sustained there, possessed the greatest advantages for information. As we have been informed that this interesting work is already in great forwardness, and that some of the first artists in Paris are employed in engraving the numerous plates which are to accompany it, we hope to be able to gratify our readers with a particular account

account of it in our next volume. —The “Eulogy on M. Tobern Olof Bergman, read in the Academy of Sciences at Stockholm, by Mr. Hjelm,” contains a just tribute of respect to the merits of that celebrated philosopher. His papers on natural history and on astronomy, which he delivered into the royal academy, gained him an early reputation among his contemporaries. But his inventions and improvements in chemistry and mineralogy are his greatest glory. On account of these, the distinguished rewards which he received from his sovereign were decreed to him; and it remains a contest between his countrymen and foreigners, who shall pay the greatest honours to his memory.

In Denmark, a particular attention hath, of late, been paid to the interests of literature. When we published our history of the Foreign Literature of 1786, we had occasion to announce a valuable work of Mr. Thorkelin’s, extracted from the legacy of Arnas Magnæus to the university of Copenhagen. Since that time, the commissioners appointed by the present king to superintend the publication of all the remains of that learned historian and antiquary, have printed “An History of the Introduction of the Christian Religion into Iceland;” “The Life of Gunnlang Ormstunga, an Icelandic Nobleman in the tenth Century; with Cuts;” “The Lives of the first Six Bishops of Schalholt in Iceland;” “And Edda; or the Ancient Mythology: consisting of Songs collected by Sœmund the Sapiënt, in the eleventh Century.” There have also been published at Copenhagen, at the expence of lord Suhm, a munificent patron of literature, “The

History of the Orkneys;” “The History of the first Settlement in Iceland, by Norwegians, Scots, Irish, and emigrants from the Western Islands of Scotland;” “Hernager Saga; or the most Ancient History of Sweden;” “Rymbagla; or the ancient Astronomy;” “Eyrbyggja; or the History of the first Inhabitants of the Western parts of Iceland; and “Miscellanies of Ancient Teutonic Literature, collected from Manuscripts which are preserved at Copenhagen.” Of these various works, little more than the names have hitherto reached us: and we wait with impatience for an intimate acquaintance with such rich stores of knowledge.—But besides these curious works, there are several others published at the expence of his Danish majesty, which are equally entitled to our notice. These are “A Collection of Ancient Danish Writers, in ten volumes,” of which six only are yet finished; “A Collection of Danish Coins and Medals;” “Flora Danica; or a Description of Plants growing in his Majesty’s Dominions, by Professor Vahl;” “Oeuvre de Conquillages; by Regenfus and Mr. Spangler;” “Danish Monuments, within and without Denmark, with Drawings by Mr. Abildgaard;” to which should be added “Snorro Sturgeson’s History of Norway, written in the Icelandic Dialect, and now accompanied with Latin and Danish Translations,” under the patronage, and at the expence of his royal highness prince Frederic, brother to his majesty.—Mr. Frederic Sneadorff has published at Copenhagen, a Latin “Dissertation on the Hymns of the Ancient Greeks; to which are added Three Hymns attributed to Dionysius,” which the lovers of ancient literature will receive

receive as a valuable addition to the learned labours of Messrs. Hoeren and Grodeck on the same subject.—Mr. Johnstone, chaplain to his Britannic majesty's envoy extraordinary at the court of Denmark, has conferred a fresh obligation on his countrymen, by publishing, at Copenhagen, "*Lodbrokar-Quida*; or the Death Song of Lodbrog: now first correctly printed from various Manuscripts, with a free English Translation; with explanatory Notes." This celebrated song is one of the most curious and valuable remains of Scandinavian antiquity. Lodbrog is believed to have reigned in Denmark about the close of the eighth century. After he had been distinguished by a variety of warlike achievements, he fell into the hands of Ella, a Northumbrian prince, by whom he was condemned to die by the bite of vipers. It was during the operation of their poison that he is reported to have sung the *Lodbrokar-Quida*. This poem is valuable, not only on account of the beauties of the composition, and the representation which it gives us of the state of northern literature at that early period, but as it contains a narrative of real events, from which the historian may derive information. And Mr. Johnstone's version has the merit of preserving more of the spirit of the original, than is the case with most translations; and of being illustrated by such critical notes as are proofs both of his learning and taste.

In turning our attention to the literature of the United Provinces, we meet with the sixth and seventh volumes of "*Prize dissertations; relating to Natural and Revealed Religion*;" published by Teyler's Theological Society at Haarlem." The

subject proposed to the competitors whose dissertations appear in the sixth volume, was, to prove, that true philosophy has no tendency to undermine divine revelation; and that a well-grounded, a real philosopher may be a true Christian. The gold medal, which is the first prize, was decreed to the reverend Cæsar Morgan, chaplain to the bishop of Ely. For an account of this ingenious performance we refer our readers to our preceding history of Domestic Literature. The second dissertation in this volume is written by Mr. J. F. Lentz. This gentleman's production is distinguished by a liberality of sentiment, and strength of reasoning, which do him the greatest honour; and it would afford us considerable pleasure to be able to congratulate our countrymen on its appearance in an English dress. The third dissertation, by Mr. Peter Verſchap of Rotterdam, is also a performance of great merit; and the last, by the Reverend M. Laurentius Meyer, though inferior to the preceding performances, affords ample testimony to the good intentions of the worthy author. The subject proposed in the seventh volume, was, on the folly of scepticism; the absurdity of dogmatizing on religious subjects; and the proper medium to be observed between these two extremes. The dissertation that obtained the gold medal was written in English by the Reverend William Lawrence Brown, D. D. minister of the English church at Utrecht, and lately appointed professor of moral philosophy and ecclesiastical history in the university of that city. In this performance the author pursues his subject in an ingenious and sensible manner, in the order proposed by the society; and concludes, "that the only sure prefer-
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vaive against both a dogmatical and a sceptical spirit, is the knowledge of the principles of pure religion, unsophisticated by the comments and inventions of men;" and "that Christianity never will appear in its true lustre, till the most perfect unequivocal toleration be every where established; because this alone will allow religion to exert its natural energy, and enjoy the same advantage with every other science, and by means of free enquiry, extracting fresh light and evidence, bring it nearer and nearer to the pure standard of divine truth." The dissertation in this volume, which obtained the silver medal, and was written by the reverend Gerrit Hesselink, A. L. M. and Phil. Dr. professor of divinity in the baptist congregation in Amsterdam, deserves also to be commended for its philosophical accuracy, the great knowledge of the human heart which the author displays, and the truly liberal and candid spirit which reigns in every part of it.—The volume of "Sermons on several Texts of Scripture, by the late Reverend Charles Chaise, Pastor of the French Church at the Hague, and Fellow of the Philosophical Societies of Haarlem and Dublin," though they were probably written without any view to publication, do great honour to the memory of their learned and pious author. The subjects of them are interesting and important, and such as come home to men's business and bosoms. Whether we consider them as argumentative discourses, or as eloquent compositions, they are deserving of our warmest commendation, as they possess the excellencies for which the French preachers have been famed, without that extravagance of declama-

tion which render most of their discourses disgusting to an English reader.—The "Observations on the Commerce of the Black Sea and the adjacent Country," printed at Amsterdam, consist of a short commercial description of the Crimea, and a minute account of the articles of trade there, and in various parts of Turkey and the Levant; with directions concerning the best methods of carrying on business in those countries. The twenty-third and twenty-fourth volumes of the "Memoirs published by the Philosophical Society at Haarlem," consist of a variety of papers, which may be classed under the heads of philosophy, natural history, and medicine. The most important memoirs to the Dutch, are the following: a prize dissertation, which takes up the greatest part of the first of these volumes, by Jacob Otten Husley, Architect, of Amsterdam, concerning the best method of preventing the encroachment of the sea on the dykes of the Texel and Marsdiep; and another, which states the reasons for Mr. C. Bruning's affirmative answer to the following question proposed by the society: whether the general principle of hydro-metry, that the greatest depth of water is always found in the narrowest parts of rivers, be applicable to inlets of the sea, where the stream is occasioned by tides? But the philosophical world will receive the greatest pleasure from a dissertation which is the result of the united labours and enquiries of those ingenious philosophers Dr. Deiman, and M. Paets Van Troostwyk, of Amsterdam. The object of this dissertation is, to prove, that the several kinds of aeriform and elastic fluids, which are severally denominated fixable, dephlog-

gisticated,

gified, inflammable, nitrous, acid, and alkaliæ, are of the same nature with atmospheric air, and may be considered as different kinds of air; and that atmospheric air is, like them, capable of being united to other substances, and of thus undergoing various modifications. This theory they support by a number of judicious arguments and well-contrived experiments. Mr. Cuthbertson's "Description of an improved Air Pump, &c." contains an account of some contrivances which he has invented to remedy the inconveniencies which have attended the best instruments of that kind, which have been in use among experimental philosophers. In pumps of his construction, dry air may be rarefied about six hundred times; and they are so formed, that they may be made to condense, either at the same time that they exhaust, or separately.—Mr. Ger. Nil. Heerens of Groningen, in his agreeable description of "The Birds of Frisland," in Latin versè, has blended together his sensible observations as a naturalist, with the effort of his fancy in the service of the muses. The birds to whose history and œconomy he here devotes his labours are, the lark, the cross-bill, the magpye, the swallow, the goose, the crested wren, the quail, the starling, the thrush, and the black bird. From the notes which accompany this entertaining poem, the students in natural history may derive many facts, which have not been recorded by former writers.—From Mr. A. Bloom's "Treatise on the Colony of Surinam, founded on Twenty Years Experience," printed at Amsterdam, the botanist may gather information respecting the natural history of that settlement. Mr. Vosmaer's "Description of the Camelopard, or Giraffe; and

of the glossy green-hued Mole," are articles which form the sixteenth number of a description of the uncommon animals and remarkable productions in the cabinet and menagerie of his serene highness the prince of Orange. This very curious and interesting work is recommended to the lovers of natural history, by Mr. Vosmaer's extensive knowledge of nature, and the penetration and accuracy with which he describes her productions. The number before us contains a judicious and authentic account of two animals which are but imperfectly known to European naturalists, and which are remarkable for their rareness, and for their beauty.—Mr. Burja's "Observations on Russia, Finland, Livonia, Courland, and Prussia," published at Maestricht, are drawn up in the form of a journal, and contain such remarks on the inhabitants and customs of those countries, as might be expected from the pen of a learned and judicious traveller. These observations are mixed with much miscellaneous matter, which is delivered in an easy and lively style.—The two volumes of "Familiar and Friendly Correspondence between Frederic II. King of Prussia, and U. F. De Suhm, Privy Counsellor to the Elector of Saxony, &c." contain the effusions of their private friendship, during an epistolary intercourse which commenced in March 1736, and continued to the death of M. Suhm, in 1740, just after the king's accession to the throne. The subjects of these letters will not be very interesting or entertaining to the generality of readers. They contain no political or historical anecdotes; and derive their principal recommendation from the enthusiasm with which even the trifles of so extraordinary a cha-

a character as Frederic the Great are collected.—“A particular Account, accompanied with a Specimen of a New Edition of the Works of Plutarch, by M. Wytterbach, Professor at Amsterdaim,” announces the completion of a work, which has been promised to the world for these fifteen years, by the learned and ingenious editor, and which bids fair to give him a high and lasting reputation among the commentators on the ancients. From the specimen of the text, version, emendations, and notes, which we have now before us, it appears that M. Wyttenbach has been indefatigable in his application as a grammarian and critic; and that by his profound knowledge of the genius of the Greek language, and his intimate acquaintance with the philosophy of the ancients, he was well qualified for the undertaking in which he was engaged. This edition is intended to contain all the works of Plutarch that are extant, beginning with his moral writings, and ending with his lives.—The learned world will also hear with pleasure, that a third volume of the “*Bibliotheca Critica*,” has been published by Mr. Wyttenbach; and that he has a promise of being assisted in carrying on that learned work, by Schultens, Van Santen, Tollius, &c.—A third volume of Mr. Lavater’s “*Essay on Physiognomy*, designed to promote the Knowledge and Love of Mankind,” has appeared at the Hague. We have, in a former Register, given our opinion of the labours of this ingenious and eccentric gentleman. Many of his observations and remarks, in the present volume, are sensible, liberal, and edifying; while at other times, they are so fanciful and incongruous, that we freely own ourselves to be infidels with respect to the philosophy of his science. As

a splendid edition of this work is intended to be published in our own country, which is to receive the corrections and emendations of the author, we may, probably, be called upon to give some farther account of it in a future volume.

The first place in our account of the literature of Germany; we shall assign to Dr. J. P. Eckerman’s translation into verse, of “the Prophecy of Joel, with new Explanations;” published at Lubec. This commentary upon Joel is divided into five sections. The first relates to the method and text of the prophet. The second contains a comparative view of the best explanations of his prophecy. The third gives an account of the time when he prophesied. In the fourth, the weight and importance of his predictions, and their poetical and religious characters are discussed. And the fifth is composed of the author’s philological, critical, and etymological remarks. This performance abounds in learned researches, and judicious criticisms; and will be received with peculiar pleasure by the student in sacred literature.—At Augsburg, “An Essay on the Apostolic Liturgies, and the Ancient Liturgies of the Western Church; explaining their Origin, Progress, Order, and Language,” has been published by P. Augustin Krazer, in the Latin language.—At Berlin a work has been published, entitled, “The only true System of the Christian Religion,” which, according to the accounts of the foreign journalists, contains a collection of the most extravagant opinions, and unintelligible absurdities, but intermixed, as it should seem, with a variety of judicious and shrewd remarks. We cannot say that the representations which they have given, have enabled us to form an accurate judgment

ment of that class of religionists to which the author is to be referred. We suspect, however, though perhaps erroneously, that he is one of the proselytes to the opinions of Emanuel Swedenborg. — At Hamburg, Mr. Ferdinand Olivier Petit-Pierre, formerly pastor of La Chaux de Fonds, has published the first volume of a work entitled, "The Plan of God, with regard to Man, as manifested in the Religion of Nature, and the Gospel Dispensation." The whole of the author's plan is divided by him into four parts. The volume before us, which contains the first of these, treats of the infinite goodness of God; which is defined to be his invariable inclination, eternally to communicate all possible good to his creatures. The explanation of this definition takes up the first chapter of this volume. In the second chapter Mr. Petit-Pierre considers the proofs of the infinite goodness of God, as derived from reason and from Scripture. And in the third, he mentions the inferences or the consequences to be deduced from the infinite goodness of God, as they relate either to the theory or practice of religion. This excellent work, which is evidently the result of long and close reflection, and dictated by the utmost simplicity and integrity of mind, bears such marks of love to God, and benevolence to man, as must strongly recommend it to the liberal and dispassionate. It represents the genuine doctrines of the gospel of Christ, in the most rational and engaging point of view; and we think it admirably calculated to free Christianity from some of the false opinions by which it hath been for many ages encumbered, but which are totally inconsistent with every rational idea of the divine perfections. — At Jena, a Thesis has

been published by M. J. C. Döderlein, the object of which is, to prove, "that Christ gave no civil laws." In this Thesis the author shews, that our great lawgiver has ordained nothing relating to temporal government; and that those commands which seem to have any reference to it, are to be understood only as private precepts. The illustrious baron Dalhberg, Coadjutor to the electoral archbishop of Mentz, has published an excellent pamphlet, containing the substance of a memoir read to the academy of sciences at Erfurt, called "Considerations on the Connection between Morality and Politics." In this publication he shews, that politics and morality, instead of standing in opposition to each other, are intimately connected; that politics are only a part or branch of morality; and that all the schemes of pretended political wisdom, that deviate from, or violate the rules of this master-science, turn out, in the issue, often to the detriment of their contriver, always to that of the nation. This subject, though not new, our author discusses with peculiar zeal and spirit; and his observations are abundantly confirmed by history and experience.

In adverting to the philosophical productions of Germany, our attention is called, in the first place, to the "Memoirs of the Royal Academy of Sciences, and Belles Lettres at Berlin, for the Year 1784." This volume opens, as usual, with the history of the academy; in which Mr. Formey, in an eloquent discourse, celebrates the eminent characters of Frederic II. who was then living, and those of Mess. Daniel Bernouilli, D'Alembert and Euler. The principal papers of which the memoirs consist, relate to experimental philosophy, mathematics,

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speculative philosophy, and the belles lettres. To the department of experimental philosophy, the indefatigable and ingenious M. Aichard is the greatest contributor. The principal papers delivered in by him, give an account of the experiments which he made, to discover the proportion in which different fluids are dilated by different and known degrees of heat; to find out an exact method of measuring the relative qualities of phlogiston contained in a given sort of air, so as that the degrees of the phlogistication of the air may be reduced, by the same method, to just and numerical proportions; and to estimate the salubrity of the atmospheric air, within the compass of sixteen miles. The memoirs also of M. Gerhard on the transmutation of earths and stones, and their transition from one genus to another, are exceedingly curious and interesting. Under the head of speculative philosophy, Mr. Formey's considerations on the first Tusculan of Cicero, concerning death; Mr. Secondat's disquisition on the distinction between common sense, judgment, taste, sentiment, wit, imagination, genius, and talent, are striking and elegant testimonies to the abilities and ingenuity of those celebrated academicians. Among those who have contributed to the departments assigned to mathematics and the belles lettres, the names of M. de la Grange, M. Lambert, and the Count de Hertberg are the most conspicuous.—At Mannheim, the academy instituted by the Elector Palatine, in the year 1780, for the purpose of improving meteorological observations, have published, at different periods, the result of their enquiries, in five volumes, under the title of "*Ephemerides Societatis Meteorologicæ Palatinæ*." In these volumes a number of dissertations

occur, relating to the immediate object of their institution, and on collateral subjects; which must prove highly interesting to the philosopher.

Mr. Veltheim, who has been for several years at the head of the Hannoverian and Brunswick mines and works, has published at Leipzig, valuable "*Observations on the Formation of Basaltes*," which are evidently the result of great experience, and of long attention to the appearances exhibited by mines and mountains. His opinions on this subject are nearly similar with those of Mr. Hamilton, of which we gave an account of in the *Domestic Literature* of the year 1786.—The eighth and ninth volumes of the "*Amnæitates Academicæ Linnæi*," published at Erlangen, contain thirty-six dissertations, by the different students who took their degrees under that professor, intended to complete the set which the early death of his son obliged him to leave imperfect. These are collected by M. Schreber. The first of these volumes consists of dissertations in which the students received the helping hand of Linnæus. To those in the second of these volumes, he contributed little, if any thing. These additions to the celebrated collection of the learned Swedish professor, contain many evidences of extensive erudition, and curious enquiry, that must ensure them a favourable reception with the public.—The "*Catalogue of the Articles in M. Link's Museum*," published at Leipzig, contains a systematical arrangement of the particulars in that excellent collection, as they belong to the animal, the vegetable, and the fossil kingdoms; and will prove a valuable addition to the libraries of naturalists.—M. G. Forster, professor of natural history and botany at Wilna, has published at Göttingen, a "*Prodromus Floræ Insularum Australium*,"

Stralium," in seven sheets in octavo, which he promises shall be followed by a description of the plants which he has brought from the South-Sea Islands. Many of these plants are unknown; and were discovered in the voyage which he made with his father and Dr. Sparmann.—M. Krockar at Breslaw, has presented the public with an edition of the "Flora Silesiaca," with corrections, in which he has described Linnæus's nine first classes of plants, after his manner, accompanied with the German names and their significations.

Among the historical productions which have appeared in Germany, "The State of Government, Religion, Literature, and the Arts, in Great Britain; towards the Close of the eighteenth Century, by D. G. F. Augustus Wendeborn, Minister of a German Church in London," printed at Berlin, in three volumes, is a work which has been read with much eagerness, and which, in general, reflects no dishonour on the abilities and impartiality of the author. It is impossible for us to follow D. Wendeborn, through the particulars of his interesting and entertaining work; and, indeed, most of our readers are well acquainted with the principal facts which it relates. We shall only observe, in general, that it contains the most circumstantial and authentic account of the present state of this country, which has been put into the hands of foreigners. It is written with a truly philosophical spirit, and enlivened with many curious anecdotes.—Mr. Mannert's "History of the immediate Successors of Alexander, taken from Original Sources, &c. Leipzig," is intended by the author to dissipate the obscurity which covers the history of that important period: in which difficult work he has proved remarkably successful. His critical

examination of the historians whose works he made use of, are testimonies to his acuteness and erudition.—The "Letters on Calabria and Sicily," by Henry Barlet, assistant of the Royal Society at Gottingen, contain an account of the author's journey from Naples to Reggio, soon after the great earthquake in 1783, with his observations on the remarkable changes introduced by that awful event into the appearance of the country, and the situation of the inhabitants.

We shall now proceed to take notice of such German productions as have any reference to critical and polite literature. Under this head we shall first announce the publication of a kind of literary journal, by M. Wahl, professor and principal of the Gymnasium of Buckenburgh, called "The Magazine of Ancient Literature, particularly Biblical and Oriental." This work consists of a translation in verse of three poems of Myron, and the first Idyllium of Theocritus, with explanatory notes; and several pieces of Hebrew and Persian literature, with a list of several Arabic words and synonyms deciphered, taken from the Arabic of Niebuhr, and the Flora and Fauna of Forsskal. This is a valuable and interesting work; particularly that part which contains observations and criticisms relating to oriental literature. For such kind of studies the learned author appears to be eminently qualified.—At Leipzig, M. Fred. Wm. Sturm has collected, from various authors, "the Fragments of Hellanicus Læsius: with Illustrations; and a preliminary Dissertation on the Age, Life, and Writings of Hellanicus." These fragments relate to historical, geographical, and mythological subjects. The notes which accompany them, and the preliminary dissertation, are

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learned and ingenious; and will prove particularly acceptable to the lovers of antiquity.—Mr. Wahl, whose name we lately mentioned with respect, has also published at Erfurt, “An Attempt towards a General History of Literature.” This work is divided by the author into two parts; the history of books, and that of the sciences. In the first part, which composes the present volume, Mr. Wahl delivers his history of books from the commencement of writing, to the introduction of Christianity, by Constantine; from that period to the revival of letters; and from the revival of letters to the present time. His observations on these different periods, and his enquiries into the state of science in all the known nations of antiquity, contain numerous displays of his extensive reading, and more particularly of his acquaintance with the Oriental languages.—“A History of Philosophy,” published at Leipzig, by an anonymous author, is designed for the use of those who, without entering into laborious researches, are desirous of knowing the progress of the human understanding, in the different periods of time. And he seems to have completed his task with fidelity and perspicuity. This volume contains the philosophy of the earliest periods, viz. that of the Indians, Persians, Babylonians, Egyptians, Hebrews, Arabians, Phœnicians, Celts, and Scythians; and also that of the Grecian philosophers, as far down as the Stoics, inclusively. The history is intended to be continued down to the present time, in two succeeding volumes.—“The Academical Discourses of Ch. G. Heyne, Professor of Eloquence and Poetry at Göttingen, &c.” in two volumes, were delivered in that university at different times, and on occasions of certain academical solemnities. The

subjects to which they relate are some of the most important in polite literature, and the intrinsic merit which they possess, exclusive of their excellence as compositions, and the elegant taste and learning which they display, is sufficient to render them a very acceptable present to the literary world.—Beside the publications which we mentioned belonging to Germany, we shall recite the titles of the following works which have appeared during the year 178:—“The History of Music, by M. Forkel, Dr. of Philosophy, and Director of Music, at Göttingen;” “New Discoveries on the Theory of Sounds, by E. F. F. Chladni, Professor of Philosophy in the Academy of Wittenberg;” and the second volume of “An Attempt towards a Description of the Libraries worthy Notice in Germany, in Alphabetical Order, by Fred. C. Hirsching,” published at Erlangen. For an account of the numerous books which have been printed in Germany on the subjects of medicine, anatomy, and surgery, we must refer our readers to Dr. Simmons’s Medical Journal.

In Switzerland, “The Essay on Intellectual Education, with a plan of a New Science, by Alexander César Chavannes, Professor in the Academy of Lausanne,” is a treatise which contains many valuable and useful observations. It is impossible for us to follow our author in his long detail concerning the different branches of education, the absurdities in the modes at present adopted, and the principles of his more easy and expeditious method. We can only observe, in general, that his opinions on this subject agree, in many respects, with those of Rousseau; but that they are free from the extravagancies which attend his system. And that Mr. Chavannes

appears to be possessed of a liberal well informed mind; and so be well acquainted with the writers on education, both ancient and modern.

M. de la Metherie, in his "Principles of Natural Philosophy," published at Geneva, undertakes the bold task of fixing the true foundations and limits of human knowledge, of banishing scepticism, and of ascertaining the principles of morals and policy. He proposes also to apply calculation to the perceptions and feelings of the human mind, as the only way of arriving at precision in the science of human nature. The philosophy for which our author contends, is not a new system; it is as ancient as the times of Epicurus and Democritus; and it stands on no better ground in the reasonings of our philosopher, than it did in their demonstrations.

M. Landreau du Maineau Picq. has, likewise, published at Geneva, two volumes on "Philosophical, Political and Moral Legislation," which are highly spoken of, as the productions of a man of abilities and experience; and a continuation of that work is "a Dissertation on the Celibacy of Priests and Soldiers, as it concerns Politics, Morality, and Religion."

M. de Saussure's "Short Narrative of a Journey to the Summit of Mont Blanc," published at Geneva, contains an interesting account of his adventures, and of the various phenomena which he observed during his visit to that elevated situation. This account is followed by an abridgment of his meteorological observations; of which the author promises, in another publication, to give a more full and circumstantial explanation.

At Zurich, M. Joh. Joach. Eschenburgh, aulic counsellor and pro-

fessor in the Caroline college at Brunswick, has published a volume entitled "On W. Shakespeare," which is supplemental to the elegant German edition of the plays of our favourite bard, begun by the celebrated Wieland, and continued and improved by our author. The subjects on which the professor treats are, Shakespeare's life, his learning, his genius, his defects; the state of the English stage in his time; the successive order of his plays, criticisms on the author, and his editors; a catalogue of the foreign translations and imitations of Shakespeare; and his other poems, together with specimens of them. On these various subjects of discussion, M. Eschenburg gives ample testimonies of his diligence, learning, and taste; and many of his structures and articles of information are such as would be acceptable and useful to the English reader.

In our account of Italian literature, we have to announce, in the first place, the completion of Mr. Rossi's "Various Readings of the Old Testament, drawn from a great number of Manuscripts, and Versions, &c." Of the consequence and importance of this excellent work, we have already expressed our opinion; and the friends of Biblical learning will rejoice, that the labours of so able and indefatigable a scholar, should so soon appear in aid to the efforts of our learned Kennicott, in restoring the sacred writings to their primitive integrity.

At Naples, "The Revolution of Human Culture in the Two Sicilies; or a Rational History of their Legislation, Government, and Literature, their Commerce, Arts and Amusements, in four volumes," by Pierre Napoli-Signorelli, is a valuable publication, whether considered in an historical or literary view. As an historical work, it contains a
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number of excellent observations on the objects expressed in the title, and many excellent materials for a more copious history of the Two Sicilies. As a literary production, it presents us with an accurate and compendious view of the writers in those kingdoms, and the various works by which they have been distinguished. From such a publication as that before us, the reader may expect much information and entertainment.—At Modena have been published the first and second volumes of the second edition of “The History of Italian Literature,” by the Abbe Tiraboschi with considerable Enlargements and Corrections.—“The Philosophy of History, in three Books, by the Abbe Aurelio de Giorgi Bertola, Professor of Universal History at Pavia,” contains a curious analysis not only of the causes and principles of the events, which occur in the history of nations, but also of the consequences and effects which have resulted from these. Of this ingenious and learned work the foreign journalists speak in the highest terms of approbation.

At Parma, the Abbe Don Vincent Requeno, of the Clementine Academy, has published a second volume of his elegant “Essays on the Re-establishment of the Ancient Arts of Grecian and Roman Painting.” The first volume which was published by him some years ago, gives a circumstantial account of the encaustic painting, as practised by the ancients, by which the lustre of their works is preserved to the present times. In this second volume he answers the objections which were made by some of the Italian artists on this subject; and supports his account of the invention, and its utility, by a multiplicity of quotations from ancient authors. Whe-

ther the readers of the Abbe’s ingenious work, admit his system or not, they will be entertained with many of his observations on the graphic arts, and his history of the improvements which they have undergone.

The Chevalier Onofrio Boni’s “Eulogy on Pompeo Girolamo Batoni,” published at Rome, contains a judicious abridgment of the origin and progress of painting; and a parallel between Batoni and the celebrated Mengs, the former of whom was the painter of nature, the latter of art. But what is principally valuable in this Eulogy is the author’s explanation of the grand principles of the art of painting, into which he is led by his criticisms on the first productions of his hero.

At Florence, Nicolas Pagni and Joseph Bardi have published a “Prospectus of an History of Painting in Tuscany, illustrated by Engravings from the best Pieces which remain of each Tuscan Artist,” from the times preceding Cimabue to the middle of the present century, which is to be written by a gentleman of reputation in the literary world.

M. Arteaga’s “Revolutions of the Italian Opera, or Musical Drama; from its Invention to the Present Time,” of which we gave a favourable account in a former Register, has been greatly enlarged in a second edition, published at Rome, in three vols. He has added no less than seven entire new and long chapters, which relate to the most essential parts of his subject. To the lovers of the musical drama this intelligence will not be unacceptable, as they may promise themselves much entertainment from his musical criticisms, and sensible spirited remarks.—At Pisa, has been pub-

published "An Examination of Dr. Crawford's Theory of Heat, with some New Conjectures on the Subject," by Leopold Vacca Berlinghieri, which is intended to overturn the theory of our English philosopher. Had the author, however, been acquainted with the last edition of Dr. Crawford's works, which contains many new experiments, and satisfactory answers to the objections of his opponents, it is not probable that the publication before us would have ever seen the light. — At Rome has appeared a second volume of "An Account of the Natural Genera, divided into Six Classes, according to the *Systema Naturæ* of Linnaeus, &c." by the Abbe Filippo Luigi Gilii. The present volume contains the third and fourth of these classes. In this work the author follows the steps of the celebrated Swedish naturalist, and gives an account of the structure and distinguishing characteristics of the animals in each of these classes, with remarkable exactness and precision. From the specimens which the learned Abbe has already laid before the public, of his knowledge and taste in this department of science, very high expectations may be formed of what yet remains to complete his plan. — For a particular account of the medical treatises which have appeared in Italy, we again refer our readers to Dr. Simmons's journal. Of these, the most considerable and important are, "An Essay on the Diseases most frequently Incident to the Human Body, and on the Remedies most Efficacious in these Diseases, by Dr. Francesco Vacca, Professor in the University of Pisa," in 2 volumes; and "The Philosophical Tolerantation of Diseases, with Medico-practical Observations," by M. Jos. Palla; Bergamo.

With respect to the Literature of France of the year 1787, we have met with very few publications under the head of Theology. The "Pastoral Instructions and Theological Dissertations, by the Bishop of Boulogne, on the Agreement of Faith and Reason in Mysteries in general, and in particular ones," in 2 volumes, form the most voluminous work which is to be referred to this class, and, on account of the erudition and superior talents of the author, is the first which is entitled to our notice. The subjects of these Dissertations are, on the agreement of faith and reason in mysteries in general, to vindicate and justify them from the calumnies of Bayle, J. J. Rousseau, and other impious philosophers, who have dared to accuse them of being incredible, unintelligible, contradictory, and absurd; on the trinity; on the incarnation and redemption; on the mysteries of grace; on the mystery of the eucharist; and on that of the creation. That a prelate of our author's eminence and learning should employ his abilities in defence of the mysteries of the Romish faith, is a circumstance which will, undoubtedly, raise his character in the estimation of the orthodox Catholic, and give a sanction to the opinions for which he is a zealous advocate. But his arguments will have little weight in the Protestant world; and the philosopher, of every country, will remain as sceptical as ever with respect to the concord between mystery and reason. — The Marchioness de Sillery, late the Countess de Genlis, is also a warm advocate for the orthodox doctrines of the Catholic church, in her treatise called "Religion considered as the only Source of Happiness, and of True Philosophy, &c." From the interesting title of

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this work, and the reputation which the fair writer justly acquired by her former excellent publications, we were led to promise ourselves the highest gratification in perusing what we thought would prove her rational and useful labours in the cause of truth and virtue. But to our utter surprize and disappointment, we have met with little else in the volume before us, than a defence of the most gloomy doctrines which obtained in the darkest ages of Christianity; and illiberal reflections on those who have wanted faith to admit all mysteries of her creed. That such sentiments should be patronized by one of the most elegant and pleasing writers of the present day, is one of the wonderful phenomena of the eighteenth century.—

“An Attempt towards an Elementary Treatise on Morals,” by an anonymous author, is a sensible and useful little work, which we can freely recommend to our readers. The author lays down four principles, as the basis of his doctrine. These are the essential characters of man, considered as a sensitive animal, a rational animal, a sociable being, and the creature of God. By the first of these characters, he is represented as capable of perceiving and feeling good; by the second, as instructed in the means of pursuing it; by the third, as finding objects and relations that furnish materials for its enjoyment; and in the fourth, as discovering its supreme source, the powerful and directing principle that regulates or enforces all the others. The conclusions which follow from these principles are applied by the author to the different stages of human life, to infancy, to youth, to mature years, and to old age. From the judicious reflections of the author of this pleasing and useful work, the cause of morality

and religion may be essentially benefitted.—M. Gin’s “True Principles of the French Government,” are intended to prove the superior excellence of the monarchical constitution; and particularly that of France, which in his opinion, exhibits the most perfect model of that species of government. In his discussions on this subject, he gives many evidences of extensive reading, and just reflection. But his conclusions are evidently tainted by his prejudices in favour of despotism: and, if we conjecture aright, will be warmly controverted by many of his own countrymen.—The “Memorial concerning the Marriages of Protestants in France,” in 2 volumes, which is attributed to Mons. de Matherbes, uncle of the chancellor of France, is a liberal and patriotic performance, intended to shew the necessity of granting a civil existence to Protestants in that country, by restoring to them a part of the rights which they lost by the revocation of the edict of Nantz. This sensible work is written with such temper and strength of argument, that it is not likely to meet with any formidable opponent. One of the facts which it relates, is so very extraordinary, that we cannot deny ourselves the pleasure of inserting it: viz. that the protestants in France are as numerous at present, as they were at the revocation of the edict of Nantz.—M. Jabineau’s treatise on “Usury, considered with Respect to the Laws of Nature; or a Refutation of Grotius, Puffendorf, &c.” like our countryman Mr. Bentham’s Defence of Usury, fully establishes the injustice and impolicy of restraining laws with respect to the interest of money.

“The Elements of Architecture, Fortification, and Navigation, by M. de

M. de la Ferté," completes the elementary course of mathematics by that gentleman. His former labours had been devoted to geometry, astronomy, mechanics, and algebra.—The "Elementary Treatise on the Construction of Vessels, for the Use of the Students of the Marine School; composed and published by Order of M. le Marechal de Castries, by M. Vial du Clairbois;" and "The Art of War by Sea, or Naval Tactics, on new Principles, and a new Order of Battle, by M. le Viscomte de Grenier;" both illustrated with excellent copper-plates, are works of considerable merit and importance, which deserve the careful perusal of those who are connected with the British navy.—Under the head of astronomy, it would be unjust not to mention, that the abbé Montignot, canon of Toul, has published at Strasburg, "The State of the fixed Stars in the Second Century, by Claudius Ptolemaeus, compared with the same Stars in the Year 1786, with the Greek Text and a French Translation," which is highly spoken of by astronomers: and that Mr. Pingré, chancellor of the university of Paris, and one of the royal academy of sciences, has found time, since the publication of his important work on comets, to translate into French the "Astronomy of Manilius," and the "Phænomena of Aratus," which he has illustrated and beautified with a number of judicious and useful notes.

In enumerating the productions in philosophy, the first work which claims our notice is, "The History and Memoirs of the Royal Academy of Sciences at Paris, for the Year 1784," published during the present year. The history of the academy contains a discourse delivered in one of its meetings, when prince Henry of Prussia was pre-

sent; an account of the experiments made in the examination of animal magnetism, by Messrs. Franklin, Le Roy, Lavoisier, and Bailey; and the eulogies of Macquer, Bergman, Morand, Cassini de Thury, and Count de Milly. The second of these articles contains a curious account of the experiments made by the commissioners appointed by the king to examine the merits of animal magnetism, with a philosophical detection of the imposture, and an excellent theory designed to point out the true origin of the effects falsely attributed to that pretended science, on principles deduced from the faculties and operations of the human mind. The Memoirs which compose this volume, are not classed in the divisions under which we were accustomed to give an account of them. We shall, therefore, only mention the subjects of some of the most interesting and valuable. These are, the secular inequalities of planets and their satellites, by M. de la Place; the first cloth made of superfine wool of the growth of France, by M. Daubenton; a description of a fish of the genus of the fluri, and which is called fluid, or shaiden, by the Germans, by M. Fougéroux de Banderov; concerning the effects of inflammable air on organized bodies, by M. Sage; the verification of the new discovery of fixed stars made in England, by M. Cassini; concerning the island of Friesland, by M. Buache; remarks and observations on the astronomy of the Indians, and on the antiquity of that astronomy, by M. le Gentil; and an essay on the motion of animals and plants, comparatively considered, together with a description of a kind of saintfoin, whose leaves are continually in motion, by M. Broussonet.—Among the other publications

Notions in philosophy, which, if our limits would admit of it, would be entitled to distinct notice, we may mention, a second edition of M. Fourcroy's "Elementary Lectures on Chemistry and Natural History, with considerable Alterations and Improvements;" and "An Attempt to point out a Method of Fusion by the help of Vital Air," by Professor Ehrmann of Strasburg. — In natural History, M. Bucholz, physician botanist, has published the first volume of a new edition, with considerable enlargements and corrections, of a "New Physical and Oeconomical Treatise of all the Plants that grow on the Surface of the Globe; containing their botanical and trivial Names in all Languages, their Classes, Families, Genera, and Species, the Places where they are most easily found, their Chemical Analysis, &c." This capital work is to be illustrated with plates, drawn by the best masters; from the most rare plants, in the different gardens and principal herbaria of Europe; and from the grand collection of plants deposited in the closet of prints in the king's library, and accurately coloured from nature. — At Montpellier, M. Gouan, counsellor, physician to the king, has published a very valuable work, which contains an able defence of Linnæus. This work is called, "An Explication of the Botanic System of Linnæus, designed as an Introduction to the Study of Botany." — At Strasburg, M. Fontalard has translated M. Voigt's "New Letters on Mountains; containing an Arrangement particularly designed for the Use of Young Persons, and those who, though not professional men, yet wish to acquire an useful and satisfactory Knowledge of the Formation of Mountains." M. Voigt's reputation has been

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long established in the world, by different treatises which he has published on mineralogy and Lussiology. And the publication before us seems well calculated to answer the purpose expressed in the title. — The Memoirs of Agriculture, and Rural and Domestic Economy; published by the Royal Society of Agriculture at Paris, for the Years 178; and 1786; vols. II: III: IV: and V." contain a number of interesting and valuable papers, which throw a light on many useful facts relating to rural oeconomists. For the most important articles in these volumes the public are indebted to the Marquis de Turgot, M. Fougereux de Banderoy, the Marquis de Bullion, and M. Fougereux de Bavau. These volumes we recommend to the careful perusal of our own countrymen, as they contain many hints on the subject of agriculture, an attention to which may be productive of the greatest advantages.

In Historical writing, Mademoiselle de Keralio's "History of Elizabeth Queen of England, compiled from original English Writings, Acts, Deeds, Letters, and other Manuscripts, never before published, in three Volumes," is a most valuable work, distinguished throughout by just and liberal reflections, which are equally favourable to the principles of moral virtue; and political freedom. Her arrangement also is clear and perspicuous; her facts judiciously selected; and her impartiality one of the most striking and characteristic features which distinguish her work. We have no doubt but that when the merits of this elegant and authentic history are made known, the public will be anxious to receive an English translation of it. — Mr. Houel's splendid work called "Travels through Sicily, Malta, and Lipari, containing an Account

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of the Antiquities of those Islands; the Natural Phenomena they exhibit, and the particular Customs and Manners of the Inhabitants," is still carried on. Of the second volume, numbers xxii, xxiii, xxiv, xxv, xxvi, and xxvii, have already been published; each of which, like the preceding numbers, contains six plates, and eight pages of description.—The abbé Papon's "Tour of Provence, containing a Complete Description of the Ancient and Modern State of the Towns, the Curiosities they contain, &c." is an abstract of his former valuable works, entitled, "A General History of Provence," and its "Literary History;" and will be found interesting and amusing to the generality of readers.

We shall conclude our account of French literature, with announcing two or three publications, which are rather to be referred to the head of critical and polite literature, than to any of the departments which have already passed under our notice. M. L. Langle's translation from the Persian of Abu-Taleb-al-Hosseini, of the "Political and Military Institutes of Tamerlane, properly called Timur, written by himself in the Mogul Language," is a work on which much labour and erudition have evidently been employed. But as it is principally intended to convey historical and political information, the style is free and paraphrastic. To this version is added, the "Life of Timur, compiled from the best Oriental Writers," which is drawn up with ease and spirit, and exhibits a just and striking portrait of that extraordinary character.—Messrs. Panckoucke and Framery have published, at Paris, a new translation of "Orlando Furioso, an Heroic Poem of Ariosto." This translation, on which the French critics bestow a large share of praise,

is in prose; and each stanza has the original one printed opposite to it. To this work Mr. P. has prefixed a discourse on translations, in which he contends that they should be strictly literal, as far as is consistent with elegance of style, and that all the peculiarities of the original should be scrupulously preserved.—Made-moiselle Kerario's "Collection of the Works of celebrated French Women" has been properly styled a repository of the female literature of France. It is to be comprehended in thirty-six volumes; of which three only are yet published, which contain the lives of Heloise, Christina of Pisano, and of Marguerite de Valois, Queen of Navarre, with their letters, history, and poems. Many of the specimens which M. de Kerario has given of the works of her countrywomen are taken from manuscripts in the library of the king of France, and are valuable both on account of their antiquity and intrinsic merit. In these volumes we are presented, also, with her enquiries into the progress of letters in France, which are curious and interesting; and with her remarks on the literary essays of the different periods, which afford equal evidences of her judgment and taste. We rejoice to find that this instructive and entertaining work is to be followed by another, devoted to the labours of the women of England and Italy.

In Spain, improvement and liberality are making rapid and astonishing advances. Of this fact, the translation, at Madrid, of Maupertuis's "Essay on Moral Philosophy," by D. Lopez Nuguez de Peralveia, is an unequivocal and convincing proof. And we may add to this, the testimony which arises from Don John Paul Forner's "Philosophical Discourse on Man;" which deserves the

the highest encomiums on account of the rational liberal spirit which they breathe, as well as their literary merit.—At Madrid have also been published the third and fourth volumes of “an Historical and Critical Display of Spanish Eloquence,” which forms a kind of history of Spanish literature, and marks the striking revolution in taste which is taking place in that kingdom.

Among the other Spanish works which have been produced during the year 1837, are a translation into Spanish of the “Institutiones Phi-

losophiques” of P. Jacquier; a new work of the abbé Cavenilles on the “Geranium,” of which he has described one hundred and twenty-eight species, illustrated with plates; “The Institutes of the Roman and Spanish Laws, for the Use of Schools and the Bar,” which is a posthumous work of D. Joseph Maymo and Ribes; “Delmira, an Eclogue,” by Father Basil de Santiago; and “All the Works of Thomas de Yriarte, in Prose and Verse, in Six Volumes.”

F I N I S.







